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TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 61-3]

PART 61—SCHEDULED AIR CARRIER RULES

SCHEDULED AIR CARRIER APPROACH AND LANDING LIMITATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of January 1947.

Recent airline accident experience indicates that § 61.752 is inadequate to prevent low approaches under marginal weather conditions because this section is effective only when the Weather Bureau reports a "measured ceiling." When weather conditions are critical, ceilings reported as "measured" are only a small percentage of the total. The problem of instrument approach procedures and weather minimums as correlated with existing air navigation facilities is now being given joint study by the air carriers, the Administrator, and the Board; and it is anticipated that within the next few months such procedures and minimums may be modified to the extent that further change of § 61.752 may be desirable. In the meantime, immediate changes are required in order to provide for safer operations.

The Board finds that the public interest requires a revision of § 61.752 of the Civil Air Regulations, that such revision should be made effective immediately, and that compliance with paragraphs (a) and (b) of section 4 of the Administrative Procedure Act is impracticable.

Now, therefore, effective January 8, 1947, § 61.752 of the Civil Air Regulations is amended to read as follows:

§ 61.752 *Approach and landing limitations.* No instrument approach procedure shall be executed or landing made at an airport when the latest U. S. Weather Bureau weather report for that airport indicates the ceiling or visibility to be less than that prescribed by the Administrator for landing at such airport. (52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 47-455; Filed, Jan. 16, 1947;  
8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[ACP-1947-2]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

1947 ALLOCATION OF FUNDS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1947 Agricultural Conservation Program is amended to read as follows:

Section 701.801 is amended by adding at the end of paragraph (a) thereof the following:

Subject to action by the Congress as stated in § 701.812 (b), the allocation of funds among the States is as follows:

State and region	1947 allocation
Maine	\$938,000
New Hampshire	418,000
Vermont	867,000
Massachusetts	748,000
Rhode Island	86,000
Connecticut	486,000
New York	5,258,000
New Jersey	973,000
Pennsylvania	4,773,000

Northeast region

Illinois	9,249,000
Indiana	6,044,000
Iowa	9,628,000
Michigan	8,044,000
Minnesota	7,659,000
Missouri	9,339,000
Nebraska	7,845,000
Ohio	7,399,000
South Dakota	6,351,000
Wisconsin	6,857,000

North Central region

Delaware	447,000
Maryland	1,748,000
Virginia	4,476,000
West Virginia	2,240,000
North Carolina	6,416,000
Kentucky	7,451,000
Tennessee	6,369,000

East Central region

Alabama	5,639,000
Arkansas	5,411,000
Florida	2,497,000
Georgia	8,168,000

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# FEDERAL REGISTER

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## NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 238), which were carried under "Notices" prior to January 1, 1947 are now presented in a new section entitled "Proposed Rule Making" Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

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State and region	1947 allocation
Louisiana	\$3,742,000
Mississippi	6,402,000
Oklahoma	7,460,000
South Carolina	3,822,000
Texas	10,788,000
<b>Southern region</b>	<b>61,038,000</b>
Arizona	1,717,000
California	6,284,000
Colorado	3,027,000
Idaho	2,115,000
Kansas	8,987,000
Montana	4,813,000
Nevada	308,000
New Mexico	2,621,000
North Dakota	6,660,000
Oregon	2,895,000
Utah	1,221,000
Washington	3,280,000
Wyoming	1,907,000
<b>Western region</b>	<b>46,808,000</b>

The apportionment shown above does not include the amounts set aside for

administrative expenses, the amounts required for size of payment adjustments in §§ 701.804 and 701.805, and the amounts set aside for the Insular Agricultural Conservation Program (§§ 702.801-702.810; 11 F. R. 9327) and the Naval Stores Conservation Program (§§ 706.801-706.811; 11 F. R. 13246). The Director of the Field Service Branch may make adjustments in the allocations above by transferring any funds that will not be used in a State to other States where additional funds can be used to effectuate the purposes of the program and shall allocate among the States the amount of \$4,686,372 withheld as a reserve for contingencies and adjustments. (49 Stat. 1148, 16 U. S. C. and Sup., 590g-590j)

Done at Washington, D. C. this 14th day of January 1947. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-480; Filed, Jan. 16, 1947;  
8:45 a. m.]

#### Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 10, Amdt. 21]

##### PART 1432—RICE

##### SET-ASIDE REQUIREMENTS AND RESTRICTIONS ON DISTRIBUTION AND MILLING OF RICE

War Food Order No. 10, as amended (11 F. R. 10649, 13144, and 14646) is hereby further amended by striking the period at the end of § 1432.1 (c) (1) and substituting a semicolon in lieu of said period, and by adding to said paragraph, after the second proviso therein, the following:

*And provided further* That deliveries in January, 1947 by any miller to persons other than governmental agencies of brown and milled rice for shipment to Puerto Rico, the Virgin Islands, and Hawaii, may be credited against the set-aside requirements of (b) (1) for January, 1947 up to 40 percent of the total quantity of brown and milled rice milled by such miller during such month.

This amendment shall be effective as of 12:01 a. m., e. s. t., January 1, 1947. With respect to violations, rights accrued, liabilities incurred, or appeals taken under the provisions of War Food Order No. 10, as amended, prior to said date all such provisions shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(Sec. 2 (a) 54 Stat. 676, as amended, 50 U. S. C. App. Sup. 1152 (a) E. O. 9280, Dec. 5, 1942, 7 F. R. 10179; E. O. 9577, June 29, 1945, 10 F. R. 8087)

Issued this 14th day of January 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-479; Filed, Jan. 16, 1947;  
8:45 a. m.]

## TITLE 15—COMMERCE

### Subtitle A—Office of the Secretary of Commerce

#### PART 5—PAYMENTS TO PARTICIPANTS IN THE TRAINING PROGRAM OF THE UNITED STATES COAST AND GEODETIC SURVEY UNDER THE PHILIPPINE REHABILITATION ACT OF 1946

##### Correction

In § 5.8 of Federal Register Document 47-128 appearing at page 95 of the issue of Tuesday, January 7, 1947, the last sentence should read "The rates of pay and allowable rations for members of the crew and Chief Engineer shall be fixed by the Director, subject to the approval of the Secretary of Commerce"

## TITLE 24—HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

[Priorities Order 3, as Amended Jan. 16, 1947]

#### PART 801—PRIORITIES ORDERS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

##### DELEGATION OF AUTHORITY

§ 801.3 *Delegation of authority*—(a) *What this section provides.* Housing Expediter Priorities Regulations 1, 2 and 4 relate to the disposal by War Assets Administration of materials and equipment needed in the Veterans' Emergency Housing Program. This section delegates to certain officials in the Office of the Housing Expediter the authority (1) to make certain determinations described in Housing Expediter Priorities Regulations 1 and 2, and (2) to issue Housing Expediter certificates in accordance with Housing Expediter Priorities Regulation 4, and to make findings in support of such certificates.

(b) *Sequence of filling orders under HEPR 1 and 2.* The Regional Housing Expediter of each Region of the Office of the Housing Expediter and the Deputy Expediter for Surplus Property and Re-use (and, in his absence, the Assistant Deputy Expediter for Surplus Property and Re-use), Office of the Housing Expediter, are hereby authorized to make the determinations described in paragraph (f) (2) of Housing Expediter Priorities Regulation 1 and in paragraph (f) (2) of Housing Expediter Priorities Regulation 2. These determinations relate to the sequence in which purchase orders received by War Assets Administration under HEPR 1 and 2 shall be accepted and filled by WAA.

(c) *Finding of short supply.* The Regional Housing Expediter of each Region of the Office of the Housing Expediter and the Deputy Expediter for Surplus Property and Re-use (and, in his absence, the Assistant Deputy Expediter for Surplus Property and Re-use), Office of the Housing Expediter, are hereby authorized to determine whether there is a shortage in the supply of any materials or equipment for which an application for a Housing Expediter certificate is filed under Housing Expediter Priorities Regulation 4.

(d) *Housing Expediter certificates.* The Regional Housing Expediter of each Region of the Office of the Housing Expediter and the Deputy Expediter for Surplus Property and Re-use (and, in his absence, the Assistant Deputy Expediter for Surplus Property and Re-use) Office of the Housing Expediter, are hereby authorized to issue Housing Expediter certificates, in accordance with Housing Expediter Priorities Regulation 4, covering materials or equipment found by the Regional Housing Expediter or said Deputy Expediter or Assistant Deputy Expediter, respectively, in accordance with paragraph (c) of this section, to be in short supply. However, this does not authorize the Regional Housing Expeditors to issue Housing Expediter certificates upon applications filed under paragraphs (m) or (n) or to grant exceptions under paragraph (v) of HEPR 4.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9638, 10 F. R. 12591; CPA Directive 44, 11 F. R. 8936)

Issued this 16th day of January 1947.

FRANK R. CREEDON,  
Housing Expediter.

[F. R. Doc. 47-547; Filed, Jan. 16, 1947;  
11:36 a. m.]

[HED-120-CPA-11, Amdt. 1]

#### PART 802—DELEGATIONS OF FINAL AUTHORITY

##### DIRECTIVE TO CIVILIAN PRODUCTION ADMINISTRATION WITH RESPECT TO MERCHANT PIG IRON

Section 802.9<sup>1</sup> *Directive to the Civilian Production Administration on Premium Payments Regulation 9* (§805.9<sup>2</sup> of this chapter) with respect to merchant pig iron, is amended as follows:

1. Delete subdivision (iii) of paragraph (a) (4) and substitute the following:

(4) With respect to applications by producers for quota adjustments: \* \* \*

(iii) Upon receipt of each application filed in accordance with § 805.9 (b) (5) of this chapter (Housing Expediter Premium Payments Regulation 9) indicating that a producer has shut down one or more of his furnaces for necessary repairs, the CPA shall recommend to the OHE on the basis of the facts submitted and any additional information available whether or not the producer shall be allowed a quota adjustment and shall attach to its recommendations a statement of considerations. Upon receipt of a decision from the OHE, the CPA shall notify the applicant, and the RFC (in triplicate).

2. Delete subparagraph (5) of paragraph (a) and substitute the following:

(5) Where the CPA finds that production and/or shipments in or from any plant of a producer with two or more plants has fallen below the quota for that plant in any month, the CPA shall in-

<sup>1</sup> 11 F. R. 13419.

<sup>2</sup> 11 F. R. 10578, 11836, 14461.

investigate to ascertain whether or not in its opinion production and/or shipments have been shifted among plants of that producer so as to increase his total claim without a corresponding increase in output. In all cases, the CPA shall report its findings to the OHE, and, where in its opinion production and/or shipments have been shifted among plants of the producer so as to increase his total claim without a corresponding increase in output, shall recommend whether or not a combined quota should be established for all the plants of said producer; the CPA shall attach to its recommendations a statement of the facts from which its conclusions were drawn. Upon receipt of a combined quota from the OHE, the CPA shall notify the applicant, and the RFC (in triplicate)

(60 Stat. 207)

Issued this 13th day of January 1947..

FRANK R. CREEDON,  
*Housing Expediter.*

[F. R. Doc. 47-481; Filed, Jan. 16, 1947;  
8:45 a. m.]

[Priorities Regulation 3, Revocation]

#### PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

##### DIRECTIVES AND CERTIFICATES FOR SURPLUS EQUIPMENT

§ 803.3 *Housing Expediter directives and certificates for surplus equipment for the Veterans' Emergency Housing Program.* This section, Housing Expediter Priorities Regulation 3, is hereby revoked. The six items of construction equipment covered by this section as amended November 14, 1946 are still covered by Housing Expediter Priorities Regulation 4. Holders of Housing Expediter directives and certificates are given a preference in obtaining such equipment as explained in HEPR 4.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9638, 10 F. R. 12591, CPA Directive 44, 11 F. R. 8936)

Issued this 16th day of January 1947.

FRANK R. CREEDON,  
*Housing Expediter*

[F. R. Doc. 47-548; Filed, Jan. 16, 1947;  
11:36 a. m.]

[Priorities Regulation 4, as Amended, Jan. 16, 1947]

#### PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

##### CERTIFICATES AND DIRECTIVES FOR SURPLUS MATERIALS AND EQUIPMENT

###### PURPOSE

- Par.  
(a) What this section provides.

###### DEFINITIONS

- (b) Definitions.

###### MATERIALS AND EQUIPMENT COVERED

- (c) Types of materials and equipment.  
(d) WAA stocks covered.

##### APPLICATIONS FOR HOUSING EXPEDITER CERTIFICATES

- Par.  
(e) Filing of applications.  
(f) Consideration of applications.  
(g) Issuance of certificates.

###### GENERAL CONDITIONS FOR APPROVAL

- (h) General conditions for approval of applications.

###### SPECIAL CONDITIONS FOR APPROVAL

- (i) Continuous use of construction equipment for VEHP.  
(j) To avoid serious delays in VEHP.  
(k) Industrially made houses, sections or panels.  
(l) Critical products.  
(m) New type building materials.  
(n) Basic materials.

###### EFFECT ON HOUSING EXPEDITER CERTIFICATES

- (o) Effect of Housing Expediter certificates.

###### USE OF HOUSING EXPEDITER CERTIFICATES

- (p) How to use a Housing Expediter certificate.

###### HOUSING EXPEDITER DIRECTIVES

- (q) Issuance of Housing Expediter directives.  
(r) Effect of Housing Expediter and CPA directives.

###### RESTRICTIONS ON BUYERS

- (s) Use of materials or equipment obtained with Housing Expediter certificate or directive.  
(t) Sale of materials or equipment obtained with Housing Expediter certificate or directive.

###### OTHER PROVISIONS

- (u) Appeals.  
(v) Exceptions.  
(w) Violations.  
(x) Reporting and record-keeping requirements.

§ 803.4 *Housing Expediter certificates and directives for surplus materials and equipment*—(a) *What this section provides.* This section, Housing Expediter Priorities Regulation 4, explains how special assistance, in the form of Housing Expediter certificates, will be extended to qualified persons in obtaining from War Assets Administration surplus materials or equipment which are needed for construction or production under the Veterans' Emergency Housing Program.

The Housing Expediter certificates issued under this section provide the holders with a preference in acquiring from WAA the materials and equipment listed in the certificate. They are good only for government property declared surplus to WAA. Prior to January 16, 1947, Housing Expediter certificates could be used only to obtain surplus property which had not yet been publicly advertised for sale by WAA. These certificates may now be used, as provided in this section, to obtain either unadvertised or advertised surplus.

This section explains: (1) How applications for such certificates should be filed. (2) The standards for approval of applications. (3) How certificates are issued. (4) Effect of certificates.

It also tells how, in unusual cases, Housing Expediter directives may be issued for materials or equipment for use in the Veterans' Emergency Housing Program.

##### DEFINITIONS

(b) *Definitions.* For the purpose of this section:

(1) An "industrially-made house, section or panel" is one which is made in a factory or, in the case of concrete, pre-cast either in a factory or on the building site. The term does not include house trailers.

(2) A "critical product" is one which the Housing Expediter has determined to be in such tight supply that the shortage of the product presents a serious threat to the Veterans' Emergency Housing Program. All such products are listed in the table at the end of this section.

(3) "New type building material" means any building material which possesses some characteristics (such as composition, application, or design) different from existing conventional types of building materials.

(4) "Person" means any individual, partnership, association, business trust, corporation, or any other organized group of persons (whether incorporated or not) or any federal, state or local government, or agency, instrumentality or subdivision thereof.

(5) "VEHP" means the Veterans' Emergency Housing Program.

(6) "MRO" means maintenance, repair, or operating supplies (including spare and replacement parts)

(7) "CPA urgency certificate" means a certificate issued under Direction 16 to Civilian Production Administration Priorities Regulation 13.

(8) "WAA" means the War Assets Administration.

(9) "OHE" means the Office of the Housing Expediter.

(10) "This section" or "HEPR 4" means Housing Expediter Priorities Regulation 4.

###### MATERIALS AND EQUIPMENT COVERED

(c) *Types of materials and equipment.* The types of materials and equipment for which a Housing Expediter certificate may be issued are:

(1) Production materials which are to be incorporated directly into a product.

(2) Construction materials (building materials, supplies and equipment)

(3) Capital equipment to be used for construction, production, or services.

(4) MRO.

NOTE: The table of "critical products" at the end of this section is not a list of the materials and equipment for which certificates will be issued under this section. It is to be used only in determining who is eligible under paragraph (1) of this section.

(d) *WAA stocks covered.* This section covers all materials and equipment of the types described in paragraph (c) of this section which are held by WAA as government-owned surplus.

##### APPLICATIONS FOR HOUSING EXPEDITER CERTIFICATES

(e) *Filing of applications.* Applications under this section should be filed as follows:

(1) *Certificates.* Applications for Housing Expediter certificates should be made in duplicate on Form OHE 14-82. Copies of this form may be obtained from the offices of the Regional Housing Ex-

peditors and Locality Housing Expeditors. All applications should be addressed to the Regional Housing Expediter of the Region in which the applicant's place of business is located. Applications filed under paragraph (m) or (n) of this section will be forwarded by the Regional Expediter, with his recommendations, to the Housing Expediter, Washington, D. C.

(2) *Renewals.* If the holder of a Housing Expediter certificate is unable to obtain the materials or equipment covered by the certificate 15 days before it expires, he may apply for a renewal to the office which issued the certificate. He should apply by letter, and include a certification in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that the information and statements contained in his application dated \_\_\_\_\_ for a Housing Expediter certificate are true, to the best of his knowledge and belief, as of the date of this letter. He also certifies that the items covered by certificate No. \_\_\_\_\_ issued upon that application are still needed and will be used in the Veterans' Emergency Housing Program, in accordance with that application and Housing Expediter Priorities Regulation 4.

(f) *Consideration of applications.* Applications for Housing Expediter certificates will be considered for approval in the following way:

(1) *Qualified applications.* An application will be considered qualified if it is properly completed and meets the standards for approval described in paragraphs (h) through (n) of this section.

(2) *Veterans' set-aside list.* A Housing Expediter certificate covering an item on the WAA veterans' set-aside list will be issued only if the applicant is a veteran who holds a WAA veterans' certificate (Form 63, 73, or 1127) for the same item.

(3) *Inventory restriction.* An application will not be approved which calls for more production materials or operating supplies than the applicant requires to meet his scheduled operations during the 60 days immediately following the date of his application, less the amount he has on hand and expects to receive from other sources during that period.

(g) *Issuance of certificates.* Housing Expediter certificates will be issued in the following way on approved applications:

(1) *Applications under paragraphs (i) through (l).* If the application is approved, the Regional Housing Expediter will issue a Housing Expediter certificate covering the required materials or equipment. The original will be forwarded to the applicant. A duplicate and triplicate will be forwarded to the appropriate WAA Zone Office.

(2) *Applications under paragraph (m) and (n).* When an application is forwarded to the Housing Expediter (see paragraph (e) of this section), he will consider it for approval and issue a Housing Expediter certificate upon a qualified application in the same manner as described in subparagraph (1) of this paragraph.

#### GENERAL CONDITIONS FOR APPROVAL

(h) *General conditions for approval of applications.* It is not the general policy of the Housing Expediter to channel government surplus materials and equipment to the Veterans' Emergency Housing Program through Housing Expediter certificates. Housing Expediter Priorities Regulations 1 and 2 are designed to channel into the VEHP, on a self-certifying basis, certain materials and equipment listed in those regulations. Except for the equipment listed in paragraph (c) (5) of this section, all materials and equipment not specifically listed in either HEPR 1 or 2 are normally disposed of in accordance with the Surplus Property Act and applicable regulations issued under that Act.

There are circumstances, however, which this regulation is designed to cover, under which Housing Expediter certificates will be issued. These circumstances include certain general conditions which must be met by the applicant. They are as follows:

(1) It must be determined by the Housing Expediter that the applicant's proposed use of the surplus materials or equipment requested will make a substantial contribution to the VEHP.

(2) The applicant must show that he has been unable to get the materials or equipment as soon as he needs them from sources other than government-owned surplus.

(3) In the case of construction equipment, the applicant must show that he has been unable to procure contractual services as soon as he needs them to carry out the work for which the construction equipment is required.

(4) The applicant must purchase the materials or equipment for use and not for resale, except in the case of established service and maintenance organizations who supply both parts and services to producers of any of the critical products listed at the end of this section.

In addition to the general conditions of this paragraph, an applicant must also meet one of the six special conditions described in one of the paragraphs (i) through (n) of this section.

#### SPECIAL CONDITIONS FOR APPROVAL

(i) *Continuous use of construction equipment for VEHP.* If the general conditions in paragraph (h) of this section are met, a Housing Expediter certificate may be issued for an item of construction equipment which is in short supply if:

(1) The applicant is a builder; building contractor; building subcontractor; erector of industrially-made houses, sections or panels; or a publicly or privately owned utility (water, power, gas, sewerage) and

(2) The Housing Expediter finds that the applicant is likely to make substantially continuous use of the equipment in support of the VEHP.

(j) *To avoid serious delays in VEHP.* If the general conditions in paragraph (h) of this section are met, a Housing Expediter certificate may be issued for an item of production material, con-

struction material, capital equipment, or MRO, if:

(1) The applicant is a builder; building contractor; building subcontractor; erector of industrially made houses, sections or panels; or a publicly or privately owned utility (water, power, gas, sewerage), and

(2) The Housing Expediter finds the item to be in such short supply that if it is not made available from surplus it will delay for a substantial period of time the construction of a large number of housing accommodations which have been partially completed under the VEHP. (If an applicant under this paragraph is a utility, it is not necessary that the housing accommodations be partially completed.)

(k) *Industrially made houses, sections or panels.* If the general conditions in paragraph (h) of this section are met, a Housing Expediter certificate may be issued for an item of production material, construction material, capital equipment, or MRO which is in short supply and is needed by a producer of industrially made houses, sections, or panels as defined in paragraph (b) (1) of this section.

(l) *Critical products.* If the general conditions in paragraph (h) of this section are met, a Housing Expediter certificate may be issued for an item of production material, construction material, capital equipment, or MRO which is in short supply and is needed by:

(1) A producer of a "critical product" that is listed in the table at the end of this section. (For the definition of "critical product" see paragraph (b) (2) of this section.) It should be emphasized that it is the materials or equipment needed to produce the critical product, rather than the critical product itself, for which a Housing Expediter certificate may be issued under this paragraph.

(2) A person who will use the item to provide a necessary service to a producer of a "critical product," such as a road building contractor providing access roads for a producer of logs.

(3) A producer of production materials or MRO which are required by a producer of a "critical product," if (1) the item will be used by the first producer in production of such materials or MRO, and (2) a very high proportion of the first producer's output of these materials or MRO will be sold to such producers of "critical products." An example of a person eligible under this subparagraph is a producer of molding sand to be sold to producers of cast iron soil pipe.

(n) *New type building materials.* If the general conditions in paragraph (h) of this section are met, a Housing Expediter certificate may be issued for an item of production material, construction material, capital equipment, or MRO which is in short supply and is needed by a producer of a "new type building material" which has been approved by the Housing Expediter for use in the VEHP.

(n) *Basic materials.* If the general conditions in paragraph (h) of this section are met, a Housing Expediter certificate may be issued for an item of production material, construction material, capital equipment, or MRO which is in short supply and is needed by a Federal,



State, or local governmental agency or instrumentality or persons under contract with such agency or instrumentality for use in a specific program established by the Expediter (in cooperation with the applicant agency or instrumentality) to increase the production of a basic material, such as logs, for the VEHP

#### EFFECT OF HOUSING EXPEDITER CERTIFICATES

(o) *Effect of Housing Expediter certificates.* WAA shall give the following effect to Housing Expediter certificates:

(1) *Valid for 60 days.* A Housing Expediter certificate shall be valid for 60 days after its date of issuance, and for an additional 60 days if it is renewed.

(2) *Search by WAA.* Each WAA Zone Office, upon receiving a copy of a Housing Expediter certificate, shall determine promptly whether the materials or equipment described in the certificate are in WAA stocks located within the WAA Zone. However, no such search need be made for items covered by HEPR 1 or 2.

(3) *Methods of disposal.* If the WAA Zone Office locates the materials or equipment covered by the Housing Expediter certificate, the items shall be disposed of by one of the following methods, as determined by the WAA Zone Administrator:

(i) Through sale by notification to holders of Housing Expediter certificates and CPA urgency certificates.

(ii) By transfer to the Federal Public Housing Authority for use under Title V of the Lanham Act, as amended; or to the Veterans Administration for use in the Veterans Administration Construction Program.

(iii) By publicly advertised sale to Housing Expediter certificate holders and others.

Unless otherwise directed by CPA or the Housing Expediter, disposal must be by one of these three methods.

(4) *Order of preference before advertising.* In disposing of any of the materials or equipment covered by this section before they have been publicly advertised, each WAA Regional Office shall honor whichever of the following two is received first:

(i) An order from a certificate holder.

(ii) A request for transfer from the Federal Public Housing Authority or the Veterans Administration.

(5) *Public advertisement.* Before any of the following equipment is disposed of by WAA (other than as described in subparagraph (3) (i) and (ii) of this paragraph, or upon a Housing Expediter or CPA directive), they shall be publicly advertised by the WAA Regional Office as provided in this subparagraph:

Attachments disposed of separately from cranes: boom, crane, dragline, clamshell, shovel, piledriver, backhoe, or trenchhoe attachments.

Attachments disposed of separately from tractors: bulldozer, angledozer, power control unit, hydraulic pumps, towing winch, loader, or hoists.

Batching plants.

Cranes: Truck mounted and crawler-type of  $\frac{1}{2}$ ,  $\frac{3}{4}$ ,  $1\frac{1}{4}$  to  $1\frac{1}{2}$ ,  $1\frac{3}{4}$  to 2, and  $2\frac{1}{2}$  cubic yard capacity. Equipped with shovel, dragline, backhoe, and other types of front ends.

Ditching machines.

Motor graders.

Portable air compressors from 105 c. f. m. to 500 c. f. m. inclusive.

Rock crushers, 35 tons per hour or under.

Straddle-lift trucks.

Tractors (track laying) and front-end loaders.

Tractor type scrapers.

Wheel tractors 100 h. p. or over.

In such advertisements, WAA shall indicate that preference will be given, as provided in subparagraph (6) of this paragraph, to holders of Housing Expediter certificates.

(6) *Order of preference after advertising.* Unless otherwise directed by CPA or the Housing Expediter, in disposing of any materials or equipment covered by this section in a publicly advertised sale, each WAA Regional Office shall give preference the following priority groups, in the order indicated, over all other persons:

(i) Holders of both an unexpired Housing Expediter certificate and a WAA veteran's certificate (Form 63, 73, or 1127) for the same materials or equipment. Within this priority group, certificates shall be honored in the order in which they are presented during the preference period established for them by the advertisement.

(ii) Holders of an unexpired Housing Expediter certificate. Within this priority group, certificates shall be honored in the same order as in priority group (i).

After a particular lot of materials or equipment covered by this section has been publicly advertised to certificate holders by WAA, and the preference period for such holders has expired, certificate holders shall have no further preference in any later offerings of the same lot on competitive bids.

(7) *Terms of sale.* WAA may make disposals under this section upon such terms and conditions as are not in conflict with this section or the Housing Expediter certificate upon which the disposal is made.

#### USE OF HOUSING EXPEDITER CERTIFICATES

(p) *How to use a Housing Expediter certificate.* The following are the rules governing the use of Housing Expediter certificates:

(1) *Sales by notification prior to public advertisement.* If WAA notifies a certificate holder that the materials or equipment described in his certificate are available for disposal, the holder shall, within the time specified in the notification, present his copy of the certificate and his written order as required by WAA, together with adequate identification, to the WAA office designated in the notification. (See paragraph (o) (3) (i) of this section on sales by notification.)

(2) *Publicly advertised sales.* The holder of a Housing Expediter certificate should watch for public advertisements of WAA sales, wherever located, of any materials and equipment covered by his certificate. The certificate holder should submit his order or bid in accordance with the terms of the advertised sale, noting on his order or bid that he holds a Housing Expediter certificate for the items covered by his order. Since preference among certificate holders in paragraph (o) (6) (i) or (o) (6) (ii) of

this section will be on a first-come, first-served basis, promptness in placing orders or bids is important. If some of the items covered by a Housing Expediter certificate are sold to the holder, his certificate will be marked to indicate this by striking out these items, and he may retain the certificate. If all items are sold to the holder, he must surrender his copy of the certificate to WAA.

(3) *Not transferable.* A Housing Expediter certificate may be used only by the person named in it, and any rights conferred by it on that person may not be transferred.

(4) *No copies to be made.* No person shall make, or have made, a photostatic copy or other facsimile of a Housing Expediter certificate.

#### HOUSING EXPEDITER DIRECTIVES

(q) *Issuance of Housing Expediter directives.* In addition to Housing Expediter certificates, Housing Expediter directives may be issued covering government-owned surplus needed in the VEHP. The following rules govern the issuance of such directives:

(1) Housing Expediter directives may be issued if (i) the location of the items involved is known, and (ii) because of special circumstance, disposal under HEPR 1 or 2 or issuance of a certificate would not adequately meet the needs of the VEHP.

(2) Housing Expediter directives covering materials or equipment already publicly advertised or publicly offered for sale will, in general, be issued only if very extreme and unusual circumstances present such a serious threat to the VEHP that in the judgment of the Housing Expediter the action is mandatory.

(3) Application for a Housing Expediter directive should be made by letter to the Housing Expediter, Washington 25, D. C.

(r) *Effect of Housing Expediter and CPA directives.* Housing Expediter directives and CPA directives shall take precedence over Housing Expediter certificates. CPA directives shall take precedence over Housing Expediter directives.

#### RESTRICTIONS ON BUYERS

(s) *Use of materials or equipment obtained with Housing Expediter certificate or directive.* Any material or equipment obtained from WAA by the use of a Housing Expediter certificate or directive may be used only for the purpose for which the certificate or directive was issued.

(t) *Sale of materials or equipment obtained with Housing Expediter certificate or directive.* If it becomes impossible for a person who obtained materials or equipment under this section to use them for the purposes for which the Housing Expediter certificate or directive was issued, the unused materials or equipment may be disposed of only on authorization in writing by the Housing Expediter upon the basis of a letter from the person explaining the situation, and plans for disposal, if any. In general, disposal will be authorized only for purposes which would qualify for a Housing Expediter certificate under this section.

## OTHER PROVISIONS

(u) *Appeals.* Any person who considers that compliance with any provision of this section would result in an exceptional and unreasonable hardship on him may appeal for relief. In addition, any person affected by action taken under this section which was based on an interpretation of the section which he considers to be incorrect may file an appeal. An appeal shall be in the form of a letter in triplicate, addressed to the Housing Expediter, Washington 25, D. C. The letter must state clearly the specific provision of the section appealed from and the grounds for claiming an exceptional and unreasonable hardship, or the specific action appealed from, as the case may be.

(v) *Exceptions.* In a very limited number of cases, an exception to the provisions of this section may be granted by the Housing Expediter so that a certificate may be issued for materials or equipment to be used in the VEHP, even though the applicant does not meet all the conditions of eligibility of the section. Any person who considers that the facts of his case are unusual enough to warrant the granting of such an exception should file his application with the Regional Housing Expediter of the region where his place of business is located. The application will be forwarded by the Regional Expediter, with his recommendation, to the Housing Expediter, Washington 25, D. C.

(w) *Violations.* Any person who willfully violates any provision of this section or who knowingly makes any statement to the Housing Expediter or the WAA, as to any matter within their respective jurisdictions, which is false in any respect, or who willfully conceals a material fact in any certification required to be executed under this section, or who willfully falsifies any records to be kept under this section, shall, upon conviction thereof, be subject to fine or imprisonment, or both, under the Veterans' Emergency Housing Act of 1946 and other applicable Federal Statutes. Any such person or any other person who violates any provisions of this section may be prohibited from making or obtaining any further deliveries of, or from using any materials or facilities suitable for housing construction, and may be deprived of priorities assistance for such materials or facilities.

(x) *Reporting and record-keeping requirements.* Each person or agency participating in any transaction to which this section is applicable shall complete and preserve, for at least two years after the date of the transaction, accurate and complete records of the details of each such transaction. All persons affected by this section shall file such information and reports as may be required by the Housing Expediter (or any person or agency authorized by him to make such requests) subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9638, 10 F. R. 12591, CPA Directive 44, 11 F. R. 8936)

Issued this 16th day of January 1947.

FRANK R. CREEDON,  
Housing Expediter.

## TABLE OF CRITICAL PRODUCTS COVERED BY PARAGRAPH (1) OF THIS SECTION

NOTE: As explained in paragraphs (c) and (1) of this section, this table is not a list of the materials and equipment for which Housing Expediter certificates may be issued under this section. It is a list of the kinds of products an applicant must produce in order to be eligible for a Housing Expediter certificate under paragraph (1) (1) of this section.

Asbestos-cement siding shingles and flat sheets (products made from asbestos fibers and cement).  
Asbestos-cement siding shingle and flat sheet specialized machinery.  
Asphalt and tarred roofing products (smooth surfaced roll roofing, mineral surfaced roll roofing, strip and individual asphalt shingles, saturated felts, dry roofing felts, and saturated or coated sheathing papers).  
Asphalt and tarred roofing products specialized machinery.  
Bituminized fiber pipe.  
Bituminized fiber pipe specialized machinery.  
Boilers, low pressure, heating, steam and hot water.  
Builders' hardware of the following types only:  
(1) butts, hinges, hasps; (2) door locks, lock trim; (3) cash screen, and shelf hardware; (4) night latches, dead locks; (5) spring hinges; (6) cash balances, sash pulleys.  
Building and sheathing papers.  
Building board (board made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibred stock).  
Cast iron soil pipe and fittings.  
Cast iron pressure pipe.  
Cast iron radiation.  
Cement.  
Cement mill specialized machinery.  
Clay building products (common and face brick, clay structural tile, and clay sewer pipe).  
Clay building products specialized machinery (such as deairing machines, extrusion heads, clay grinders and pulverizers, and brick presses).  
Convactor radiation (extended surface).  
Flooring hardwood.  
Furnaces (warm air, floor, wall).  
Gypsum board and gypsum lath.  
Gypsum board and gypsum lath specialized machinery.  
Gypsum liner.  
Lime, finishing.  
Logs.  
Lumber.  
Metal doors and frames.  
Metal windows, sash and frames.  
Metal plaster base (metal lath).  
Millwork, suitable for housing construction.  
Nails.  
Pig iron (foundry grade).  
Plaster, hardwall.  
Plumbing fixture fittings and trim, including brass tubular goods.  
Plumbing fixtures (of the following types, in residential-design models only: bathtubs, lavatories, sinks, sink-and-tray combinations, shower stalls, receptors, stall-and-receptor combinations, water closet bowls, tanks. Trim is not included).  
Plywood, softwood, suitable for housing construction.  
Sawmill and other woodworking specialized machinery.  
Screen cloth, insect.  
Steel, galvanized sheet.  
Wiring devices (electrical) of the following kinds only:

(1) Sockets, lampholders, and lamp receptacles—medium screw base types (lighting fixtures and portable lamps not included);

(2) Convenience receptacles (outlets) suitable for residential use;  
(3) Toggle switches (types designed specifically for tools and appliances not included);  
(4) Wall and face plates;  
(5) Outlet, switch, and receptacle boxes suitable for residential use (covers, hangers, supports, and clamps included);  
(6) Box connectors for residential-type metal or nonmetallic sheathed cable.

[F. R. Doc. 47-549; Filed, Jan. 16, 1947; 11:38 a. m.]

## TITLE 30—MINERAL RESOURCES

## Chapter I—Bureau of Mines, Department of the Interior

## Subchapter B—Helium and Coal

## PART 1—PRODUCTION AND SALE OF HELIUM FOR MEDICAL, SCIENTIFIC, AND COMMERCIAL USE

## Sec.

- 1.1 Definitions.
- 1.2 Purchase price of helium.
- 1.3 Service charges.
- 1.4 Settlements under existing contracts.
- 1.5 Applications.
- 1.6 Advances, deposits and bonds.
- 1.7 Initial advance for purchase of helium.
- 1.8 Initial advance and guarantee for containers.
- 1.9 Adjustment of accounts.
- 1.10 Shipping containers.
- 1.11 Repurchase rights of Government.
- 1.12 Reservations with respect to sales and deliveries.
- 1.13 Determinations of purity and quantity.
- 1.14 Special restrictions.
- 1.15 Power of inspection.
- 1.16 Implied agreements.
- 1.17 Violations and penalties.
- 1.18 Purchaser's bonds.
- 1.19 Cancellation and assignment of contracts.
- 1.20 Federal agencies not affected.
- 1.21 Forms.

AUTHORITY: §§ 1.1 to 1.21, inclusive, issued under 50 Stat. 836; 50 U. S. C. 164 (b).

Effective 30 days after publication in the FEDERAL REGISTER, Part 1 is hereby amended to read as follows:

§ 1.1 *Definitions*—(a) "Act" means the act authorizing the conservation, production, exploitation, and sale of helium gas, approved September 1, 1937. (50 Stat. 885; 50 U. S. C. 161-166)

(b) "Special helium-production fund" means the fund referred to in subsection (c) of section 3 of the act.

(c) "Bureau" means the Bureau of Mines of the Department of the Interior.

(d) "Purchaser" means a person, firm, corporation, association or political authority, other than an agency of the United States Government, purchasing helium from the Bureau for medical, scientific or commercial use, or using helium containers supplied by the Bureau.

(e) "Purity of helium" means the percentage by volume of the gaseous element, helium, in a mixture of that element and other gases.

(f) "Contained helium" means the actual quantity, by volume, of helium in a mixture of that element and other gases. The volume of the contained helium bears the same proportion to the volume of the mixture that the purity of the helium bears to 100 percent.

(g) "Unit of helium" means 1,000 cubic feet of contained helium measured at, or reduced to, a pressure of 14.7 pounds per square inch absolute and a temperature of 70° Fahrenheit.

(h) "Standard-type cylinder" means a cylinder of approximately 1.5 cubic feet internal volume, designed for a filling pressure of 1,800 pounds per square inch gage or more, which will stand vertically without external support with the center of the valve outlet not less than 50½ inches nor more than 58½ inches above the floor, equipped with a standard-type cylinder valve, or a similar cylinder acceptable to the Bureau as a standard type.

(i) "Standard-type cylinder valve" means a valve acceptable to the Bureau in all respects, having an outlet conforming to following specifications: U. S. standard form left-hand threads, 14 threads per inch, threaded portion ¾ inch in length; major diameter not more than 0.830 nor less than 0.824 inch; pitch diameter not more than 0.784 nor less than 0.780 inch; outlet opening drilled to have a diameter of not more than 0.504 nor less than 0.500 inch and a depth of not less than ¾ inch nor more than ½ inch; inside edge of opening rounded out to a radius of ⅛ inch to permit insertion of a male connection tapered at an angle of 30 degrees: *Provided*, That at the Bureau's option valves with outlets conforming to other specifications may be accepted as alternative standards.

(j) "Helium tank car" means a railroad car of the type used by the Army and Navy for transporting helium, on which cylinders designed to hold helium under high pressure are mounted permanently.

(k) "Helium semi-trailer" means a vehicle without motive power of a type used by the Army or Navy for transportation of helium by road, on which cylinders designed to hold helium under high pressure are mounted permanently.

(l) "Multiple-cylinder unit" means a group of high-pressure cylinders assembled into one unit for shipment by rail or highway, of a type used by the Army or Navy for transportation of helium.

- § 1.2 *Purchase price of helium.* The purchase price per unit of helium, f. o. b. at a helium plant to be selected by the Bureau, for helium of normal plant purity of 98 percent or more, delivered into containers at pressures not exceeding the normal plant pressure of approximately 2,500 pounds per square inch gage, shall be:

(a) *When delivered into a helium tank car helium semi-trailer or multiple cylinder unit.* (1) \$11.00 when used or to be used for medical purposes only.

(2) \$13.00 when used or to be used for scientific or commercial purposes.

(b) *When delivered into standard-type cylinders.* (1) \$13.00 when used or to be used for medical purposes only.

(2) \$15.00 when used or to be used for scientific or commercial purposes.

(c) *When delivered into other types of containers.* If helium is delivered into containers of types other than those referred to in paragraphs (a) and (b) of this section, the purchase price shall be

the same as set forth in paragraph (a) of this section, and the Bureau may make, in addition, service charges to cover the cost of handling and filling such containers as provided in § 1.3 (b)

(d) *Minimum charge.* Notwithstanding the provisions of paragraphs (a) (b) and (c) of this section, the minimum charge for the helium delivered under any one contract shall be \$11.00.

§ 1.3 *Service charges.* The following charges for services and for use of equipment supplied by the Bureau shall be paid by the purchaser, in addition to the purchase price:

(a) *For work performed on standard-type cylinders supplied by the purchaser*

(1) Hydrostatic testing: \$0.75 per cylinder.

(2) Sealing cylinder valves: \$0.025 per cylinder.

(3) Stenciling serial numbers: \$0.10 per cylinder.

(4) Installing valves supplied by purchaser in cylinders received without valves: \$0.20 per cylinder.

(5) Resetting valves, or removing valves and replacing with valves supplied by purchaser: \$0.35 per cylinder.

(6) Painting cylinders: \$0.50 per color, per cylinder.

(b) *For extraordinary expenses.* Such expenses incurred in connection with any contract or delivery, including costs of repairing, cleaning, or drying purchasers' containers, filling containers of types other than those referred to in § 1.2 (a) and (b) compressing or purifying helium beyond normal plant pressure or purity, delivering helium at a point other than a helium plant selected by the Bureau, and unusual handling, transportation and communications, may be determined by the Bureau, on the basis of the cost of rendering the services, making due allowance for contingencies, overhead expense, commercial common-carrier rates, and intangible factors, and charged to the purchasers as they arise.

(c) *For use of helium containers supplied by the Bureau.* (1) For each standard-type cylinder: \$0.45 for each month or part thereof.

(2) For each helium tank car: \$100 for the first five days or part thereof, and \$20 for each day or part thereof in excess of five days.

(3) For each helium semi-trailer: \$10 for the first two days or part thereof, and \$5 for each day or part thereof in excess of two days.

(4) For each multiple-cylinder unit: \$9 for the first three days or part thereof, and \$3 for each day or part thereof in excess of three days.

(d) *For use of tractor* For a tractor with driver and fuel supplied by the Bureau for transportation of a helium semi-trailer: \$30 for each day or part thereof plus \$0.10 for each mile traveled pulling the semi-trailer and \$0.06 for each mile traveled by the tractor without the semi-trailer.

(e) *Computation of time periods.* The time periods (one month, five days, two days, three days, and one day) referred to in paragraphs (c) and (d) of this section, shall begin the day following that in which the container or tractor is placed in service for the purchaser and

end the day it is returned to the Bureau's service. Any fractional period, including the period of use of a container or tractor placed in a purchaser's service and returned to the Bureau's service later in the same day, shall count as a whole period. A container or tractor shall not be considered to be returned to the Bureau's service until it is returned to the Bureau's point of origin or some other point designated by the Bureau, and, if the container is a standard-type cylinder used in making repeated shipments to the same purchaser, until it is released from that service and made available for shipments to other purchasers or to agencies of the Federal Government. Twelve o'clock, midnight, standard time, is the dividing line between days. The charge for the use of a container or tractor shall abate during any period when it is out of service because of unserviceable condition through no fault of the purchaser.

§ 1.4 *Settlements under existing contracts.* Existing contracts for the purchase of helium and for use of containers may be settled by the Bureau in whole or in part on the basis of the amended regulations in this part, and suitable amendments of such contracts may be entered into for this purpose.

§ 1.5 *Applications—(a) Applications to purchase helium.* Sales of helium will be made only upon a written application, signed by the applicant, setting forth all of the information and conditions required by the Bureau's form entitled "Application to Purchase Helium," a copy of which is published in § 1.21 (a). Such forms will be furnished by the Bureau upon request. If the application is deemed sufficient by the Bureau for that purpose, and the requirements for cash advance and bond (if required) are complied with, it shall become the contract of sale upon the written acceptance thereof by the Bureau.

(b) *Applications to use helium containers.* If a purchaser desires that containers be supplied by the Bureau, he may make application therefor on the Bureau's form entitled "Application to Use Helium Containers," a copy of which is published in § 1.21 (b). Such forms will be furnished by the Bureau upon request. If the desired containers are available, and if said application is deemed sufficient by the Bureau for that purpose, and the requirements for cash advance and deposit or bond are complied with, it shall become the contract for use of containers upon the written acceptance thereof by the Bureau.

§ 1.6 *Advances, deposits and bonds—(a) Advances and bonds for purchase of helium.* No helium will be delivered or services performed under the regulations in this part except against cash paid in advance on account of the purchase price and services, and, when applicable, a bond or bonds as provided in §§ 1.14 and 1.18.

(b) *Advances, deposits and bonds for use of containers.* No containers or tractors will be furnished by the Bureau under the regulations in this part except against cash paid in advance on account of their use and, unless waived by the



Bureau, a cash deposit or bond to guarantee the return of all Government owned containers in satisfactory condition, or the repair or replacement of, or payment for, any containers lost or damaged, and payment of any other charges that may become due.

(c) *Purchaser to maintain adequate credits and bonds.* The purchaser shall at all times maintain with the Bureau a cash credit sufficient to cover all or as much as the Bureau may require of the purchase price of the helium together with such charges for services and use of containers or tractors as may accrue, and, unless waived by the Bureau, a cash deposit or bond adequate to save the Bureau harmless from loss of or damage to containers and to guarantee payment of all charges.

(d) *Initial and supplemental advances, deposits and bonds.* Applicants for helium and for use of containers or tractors may estimate the amounts of the initial and total cash advances and deposits or bonds from the Bureau's established purchase prices, service charges, and container values, and make the necessary payments with their application, or may await a determination and statement of these items by the Bureau after the filing of the application. If the Bureau at any time deems any advance, deposit, or bond insufficient, it may require that it be made sufficient as a condition to further deliveries of helium or use of containers or tractors.

(e) *Computation of cash advance when use of helium is uncertain.* When an applicant is unable to specify with certainty that the helium applied for is for medical use, the cash advance on account of the purchase price thereof shall be computed at the rate fixed for scientific or commercial purposes, and the account shall be adjusted thereafter, pursuant to § 1.9, to the extent that the applicant is able to certify that the helium has been or will be used for medical purposes.

(f) *Computation of cash advance when method of shipment is uncertain.* When there is uncertainty, at the time helium is applied for, as to the type of container in which it will be shipped, the cash advance shall be computed at the rate fixed for helium delivered into standard-type cylinders, but in adjusting accounts pursuant to § 1.9 the prices charged shall conform to those for helium delivered into containers of the type actually used.

(g) *Form of checks for advances and deposits.* All cash advances, deposits, and additions thereto shall be made in the form of certified checks payable to the Treasurer of the United States, unless this requirement is waived by the Bureau.

(h) *Advances and deposits to be credited to special helium-production fund.* All cash advances, deposits, and other moneys received under the regulations in this part shall be credited to and deposited in the special helium-production fund.

§ 1.7 *Initial advance for purchase of helium.* Unless upon receipt of an application to purchase helium the Bureau indicates some other or different re-

quirements, the initial cash advance may be computed as follows:

(a) *On account of purchase price.* (1) With applications for 500 units of helium or less: The full purchase price (not less than \$11.00).

(2) With applications for more than 500 units of helium: The full purchase price for 500 units plus one-half of the purchase price for each unit in excess of 500.

(b) *On account of services.* The full amount of the estimated charges for the services to be rendered, not including charges for use of containers or tractors furnished by the Bureau.

§ 1.8 *Initial advance and guarantee for containers.* Unless upon receipt of an application to use containers the Bureau indicates some other or different requirements, the initial cash advance and the deposit or bond may be computed as follows:

(a) *Cash advance for use of containers.* (1) \$0.90 for each standard-type cylinder.

(2) \$300 for each helium tank car.

(3) \$50 for each helium semi-trailer.

(4) \$30 for each multiple-cylinder unit.

(5) \$150 for each tractor, if supplied by the Bureau to haul a helium semi-trailer.

(b) *Cash deposit or bond as guarantee for containers and charges.* (1) \$20.00 for each of the first 500 cylinders and \$10.00 for each cylinder in excess of 500.

(2) \$50,000 for each helium tank car.

(3) \$10,000 for each helium semi-trailer.

(4) \$4,000 for each multiple-cylinder unit.

§ 1.9 *Adjustment of accounts—(a) Delivery which fulfills contract.* The delivery of a quantity of helium within plus or minus five percent of that contracted for shall constitute performance on the part of the Bureau, but payments for the helium shall be on the basis of the number of units delivered.

(b) *Refunds to purchasers.* As contracts of sale are performed by the Bureau by the delivery of helium, and as contracts for use of containers are performed by the purchasers by the return of containers and other equipment furnished by the Bureau, the Bureau may make refunds from time to time to the purchaser, from any credits to the purchaser's account in the special helium-production fund, to the extent that the Bureau deems such credit or credits to be in excess of the amounts that may be required to secure the performance of any outstanding contract or contracts of that purchaser; and, in any event, upon full performance by both the Bureau and the purchaser of any contract of sale or contract for use of containers the Bureau shall refund to the purchaser any balance left to the purchaser's credit on account of such contract: *Provided*, That the Bureau, at its option, may transfer any such credit remaining on account of any particular contract to the account of any uncompleted contract with the same purchaser.

§ 1.10 *Shipping containers—(a) Containers may be provided by the purchaser or the Bureau.* The applicant may provide containers, as indicated by the Application to Purchase Helium (§ 1.21 (a)), or may request the Bureau to provide them, as indicated by the Application to Use Helium Containers (§ 1.21 (b)). Containers provided by the applicant must be satisfactory to the Bureau in all respects, and shall comply with the requirements for shipment in Interstate Commerce. The Bureau will not use or fill any container which in its opinion is unsafe or unsuitable.

(b) *Provisions applicable to all types of containers supplied by the Bureau.*

(1) Agencies of the Federal Government requisitioning helium from the Bureau will have preference in the use of all such containers.

(2) The purchaser shall make every effort to prevent loss of or damage to containers supplied by the Bureau; shall not use such containers for any purpose other than transportation or storage of helium purchased from the Bureau; and shall not permit any substance to be compressed or injected into such containers without the Bureau's written consent.

(3) The purchaser shall keep account of all containers supplied by the Bureau (by serial number if a container is so numbered) and shall return such containers (including attached valves and other parts) to the helium plant or other point from which they were shipped to the purchaser, or to such other point as may be specified in writing by the Bureau, at no greater cost to the purchaser. Notwithstanding any other provisions of the regulations in this part, the purchaser shall return standard-type cylinders within 80 days and shall return helium tank cars, helium semi-trailers, and multiple-cylinder units within 30 days after receipt of notice that their return is required.

(4) The purchaser shall not remove, obliterate or obscure any of the Government's stamped or painted markings on such containers, nor stamp, paint or otherwise apply permanent markings on the metal of such containers, except records of hydrostatic tests stamped into the metal thereof in the manner prescribed by the Interstate Commerce Commission if the making of such tests by the purchaser is authorized by the Bureau: *Provided*, That the purchaser may place temporary markings on said containers if such markings are applied in a manner that will in no way affect the metal or paint on said containers or attached fittings, but any such temporary markings not authorized by the Bureau in writing shall be removed before return of the containers to the Bureau.

(5) Title to all containers supplied to purchasers under the regulations in this part shall remain in the United States. Payment by the purchaser for a container not returned or rendered unserviceable shall not vest title to such container in the purchaser.

(6) The purchaser shall pay to the carrier all transportation charges and demurrage fees resulting from shipment

of the containers and their contents to the purchaser and return of the containers to the Bureau, unless the Bureau has agreed in writing to pay such transportation charges and fees.

(7) In the event that the Bureau pays any transportation costs (other than haulage of a helium semi-trailer by a tractor furnished by the Bureau) on containers in the service of a purchaser, the purchaser shall reimburse the Bureau for such transportation at commercial common-carrier rates for the kind of transportation used, whether or not the transportation was by common carrier, or the cost incurred by the Bureau, whichever shall be the higher.

(8) The purchaser shall not remove containers furnished by the Bureau from the continental limits of the United States without specific permission of the Bureau, except for continuous passage through Canada en route between locations in the United States, which passage shall be in accordance with all laws and regulations applying to such passage through Canada.

(9) Any use or operation by the purchaser of containers furnished by the Bureau shall be in full compliance with all applicable Federal and State laws.

(10) The purchaser shall completely indemnify the Government and hold it harmless from any loss or expense arising from claims of third persons in connection with personal injuries or damage to property or otherwise arising from any Government owned container while in the service or custody of the purchaser.

(c) *Provisions applicable to standard-type cylinders supplied by the Bureau.*

(1) If any standard-type cylinder supplied by the Bureau is not returned within 80 days after receipt of notice that its return is required, or is rendered unserviceable by defects or failure to pass a quinquennial hydrostatic test as a result of mistreatment or damage beyond the effects of ordinary wear, tear, and age, occurring during the period commencing with the delivery or shipment of such cylinder to the purchaser and ending with the return of such cylinder to the Bureau, the purchaser shall be charged and shall pay to the Bureau, or cause to be paid to the Bureau, the value thereof as determined by the Bureau, which value, however, shall not be more than \$25.00 nor less than \$10.00. The entry of such charge on account of any cylinder not returned shall terminate the charge for the use thereof as of the end of the current month for which charge is made pursuant to § 1.3, but if said cylinder subsequently is returned, the Bureau shall credit or refund to the purchaser, from the special helium-production fund, the amount charged for the cylinder less \$0.45 for each month or part thereof during the period from the date when the use charge was terminated to the date of the return of the cylinder.

(2) The purchaser shall be charged with and shall pay to the Bureau, or cause to be paid to the Bureau, the cost of repairing the damage (as estimated by the Bureau if immediate repair is not made) to any returned cylinder which, although serviceable, has suffered damage beyond that attributable to ordinary wear, tear, and age, during the period

while it was in the service of the purchaser.

(d) *Provisions applicable to helium tank cars supplied by the Bureau.* (1) All movements of helium tank cars, full and empty, shall be under such Shipment Orders and in accordance with such Route Orders as the Bureau may direct.

(2) The purchaser shall be charged with any excess empty mileage of helium tank cars for which the purchaser is responsible and which has been paid by or charged to the Federal Government.

(3) At the discretion of the Bureau, the purchaser may be charged the amount of any bill received by the Bureau or other Government agency from a railroad for repair of damage incurred by a helium tank car at a discharge terminal while in the custody of the purchaser.

(e) *Provisions applicable to helium tank cars, helium semi-trailers and multiple-cylinder units supplied by the Bureau.* Bills of lading issued by the purchaser for shipment of helium tank cars, helium semi-trailers, and multiple-cylinder units shall be in such form and shall bear such notations as the Bureau may direct.

(2) The purchaser shall not remove the cylinders of helium tank cars, helium semi-trailers, or multiple-cylinder units from their mountings without specific authority of the Bureau in each case.

(3) The purchaser shall make good or cause to be made good, to the Government, by replacement of materials or by financial reimbursement, as may be appropriate and satisfactory to the Bureau, all losses and damages, not caused by any fault or negligence of the Government, to any helium tank car, helium semi-trailer, or multiple-cylinder unit during any period when such car, semi-trailer or unit is in the service or custody of the purchaser. Financial reimbursement shall be satisfactory to the Bureau and to any other Governmental agency having jurisdiction over the equipment lost or damaged, but shall not exceed the purchase price for which the Government purchased the equipment and its parts, including costs of assembly.

§ 1.11 *Repurchase rights of Government.* The Government shall have the right to repurchase helium that has been sold by the Bureau and that has not been lost or dissipated, when needed for Government use, upon the following terms and conditions:

(a) *Price for repurchase.* The price to be paid by the Government per unit of helium, for delivery at the place of use or storage, for helium of 98 percent purity or better, shall be the higher of either of the following:

(1) The price at which said helium was purchased from the Bureau, less one half of one percent of said price for each month or fraction thereof since the said helium was purchased from the Bureau, or

(2) The highest price per unit for helium purchased from the Bureau for commercial use during the fiscal year immediately preceding the repurchase.

(b) *Adjustment for purity.* For repurchased helium of less than 98 per-

cent purity the unit price to be paid by the Government shall be the price as above determined less one percent thereof for each one percent that the purity is below 98 percent.

§ 1.12 *Reservations with respect to sales and deliveries.* The Bureau reserves the absolute right and discretion to limit or defer sales and deliveries under contracts to conform to the needs and requirements of the Government, and to give such preferences as between sales for medical, scientific, and commercial use, and requisitions by Government agencies, as it deems proper. *Provided,* That in all cases requirements for Government use shall have first preference. All furnishing of services and supplying of containers and tractors under the regulations in this part shall be at the Bureau's option.

§ 1.13 *Determination of purity and quantity.* Determinations of purity and quantity of helium shall be by methods prescribed by or acceptable to the Bureau.

§ 1.14 *Special restrictions—(a) Sales for the inflation of airships.* Helium produced by the Bureau shall not be sold or used for the inflation of airships except such airships as operate in or between the United States and its territories and possessions, or between the United States or its territories and possessions and foreign countries. Helium produced by the Bureau shall not be sold or used for the inflation of any airship operating between two foreign countries notwithstanding such airship may also touch at some point in the United States. Any application for the purchase of helium for the purpose of inflating any airship shall show that fact on the face of the application.

(b) *Exportation of helium.* The act places certain restrictions and conditions upon the exportation of helium, and neither the regulations in this part nor any sale or contract of sale pursuant to the regulations in this part is intended to authorize or shall be construed as authorizing the exportation of helium. Any application for the purchase of helium for exportation shall show that fact on the face of the application.

(c) *Liquidated damages.* The Bureau may require in any contract for the purchase of helium a provision for the payment by the purchaser of liquidated damages, in an amount to be fixed by the Secretary of the Interior, in the event of failure by the purchaser faithfully to comply with the act and the regulations in this part and with the terms of the contract; if such a provision is required, the contract shall be accompanied by a domestic corporate surety bond, satisfactory to the Secretary of the Interior, in like amount conditioned upon faithful compliance by the purchaser with the act and the regulations in this part and with the terms of the contract. Such bond shall continue in force as long as any of the helium delivered under such contract shall remain in captivity, or for a period of three years, whichever shall be the longer.

§ 1.15 *Power of inspection.* Authorized representatives of the United States may enter and inspect at all reasonable times the place (including places in foreign countries) where any helium produced by the Bureau is stored or used, to the extent reasonably necessary to ascertain whether it is being used or is likely to be used in violation of restrictions in the act or the regulations in this part on the exportation of helium or its use for the inflation of airships.

§ 1.16 *Implied agreements.* Every purchaser and every re-purchaser, possessor, or user of helium produced by the Bureau, shall be deemed to have expressly consented and agreed to comply with and be bound by the act and the regulations in this part, including the power of inspection provided for in § 1.15, all restrictions on the exportation of helium and its use for the inflation of airships, and the Government's right of repurchase set out in § 1.11.

§ 1.17 *Violations and penalties.* For violation of any of the provisions of the act or of the regulations in this part, the Bureau, in addition to any other penalties provided by law, may cancel all future deliveries and forfeit all deposits under existing contracts of purchasers responsible for or in any manner aiding or participating in such violations and may deny all pending or future applications from applicants who are or have been responsible for or who have participated in or in any way aided such violations. Likewise, any liquidated damages provided for on account of such violations shall become due and payable.

§ 1.18 *Purchaser's bonds.* As a condition to the acceptance of any application for the purchase of helium, the Bureau may require the applicant to give a domestic corporate surety bond upon the condition that none of the helium applied for shall be used in violation of the regulations in this part or the act, in such amount and upon such further terms and conditions as the Bureau may deem suitable.

§ 1.19 *Cancellation and assignment of contracts.* Contracts for the purchase of helium or for the use of containers may not be canceled, assigned or otherwise transferred without the written consent of the Bureau.

§ 1.20 *Federal agencies not affected.* The regulations in this part have no application to requisitions of helium by agencies of the Federal Government, nor to the use of helium by such agencies.

§ 1.21 *Forms.* Forms of applications and contracts for purchase of helium and for use of helium containers are published in paragraphs (a) and (b) of this section. The Bureau may make alterations in or additions to said forms, and may require the execution of a contract in a different form. For a reasonable time after the effective date of the amended regulations in this part, the Bureau may accept applications for the purchase of helium on the forms theretofore authorized.

(a) *Form of application and contract for purchase of helium.*

Budget Bureau No. 42-R244  
Approval Expires November 30, 1951

APPLICATION TO PURCHASE HELIUM FROM UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF MINES

This space is for recording by the Bureau of Mines and is not a part of the application. Helium application No. \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_\_\_

Application received by Bureau \_\_\_\_\_, 19\_\_\_\_

Helium purchase contract No. \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

Give full information as indicated below, attaching additional sheets if necessary for completing answers.

(1) Quantity of helium desired: \_\_\_\_\_ units. (A unit is 1000 cu. ft. of contained helium at 14.7 lbs. per sq. in. absolute and 70° F.)

(2) Desired delivery date or schedule: \_\_\_\_\_

(The Bureau will endeavor to make deliveries at times desired by the purchaser, but does not undertake or guarantee to do so.)

(3) (a) Use for which the helium is desired: \_\_\_\_\_

(b) Place of use: \_\_\_\_\_

(4) Who will use the helium? \_\_\_\_\_

(5) Is the helium for resale? \_\_\_\_\_

(6) (a) Is the helium to be exported? \_\_\_\_\_

(b) If the helium is to be exported, give the number and date of the export license issued by the Secretary of State or, if a license has not been issued, give full information concerning the applicant's plan for obtaining an export license: \_\_\_\_\_

(7) Name, description and proposed use of aircraft for which helium is intended: \_\_\_\_\_

(8) Proposed schedule of any flights to be made outside the United States with such aircraft: \_\_\_\_\_

(9) Is the helium to be used for the inflation of any airship that does not operate in or between the United States and its territories and possessions or between the United States or its territories and possessions and foreign countries? \_\_\_\_\_

(10) Is the helium to be used for the inflation of any airship operating between two foreign countries? (For the purposes of this question an airship will be considered as operating between two foreign countries notwithstanding it may also touch at some point in the United States.) \_\_\_\_\_

SHIPPING CONTAINERS

(11) Does the applicant wish the Bureau to supply containers? \_\_\_\_\_

(If the applicant wishes the Bureau to supply containers and a contract for use of containers is not in effect, an Application to Use Helium Containers, as shown in 30 CFR 1.21 (b), as amended, should be submitted with this application.)

(12) Containers to be supplied by the applicant:

(a) Number: \_\_\_\_\_

(b) Type: \_\_\_\_\_

(c) Age: \_\_\_\_\_

(d) Owner: \_\_\_\_\_

(13) (a) Do the containers meet the specifications of the Interstate Commerce Commission? \_\_\_\_\_

(b) Do the containers comply with the definition of a "standard-type cylinder" given in 30 CFR 1.1 (h), as amended? \_\_\_\_\_

(14) (a) When were the containers last tested? \_\_\_\_\_

(b) To what pressure? \_\_\_\_\_

(15) To what pressure does the applicant want containers filled? \_\_\_\_\_

(Regardless of the applicant's answer to this question, the Bureau will fill containers only to pressures it considers to be safe and to be permissible under the regulations of the Interstate Commerce Commission.)

(16) (a) When were the containers last used? \_\_\_\_\_

(b) For what gas? \_\_\_\_\_

(c) Are the containers dry inside? \_\_\_\_\_

(d) Are the containers free from oil inside? \_\_\_\_\_

(17) What do the containers now contain? \_\_\_\_\_

(18) Valves on containers: (a) Type: \_\_\_\_\_

(b) Manufacturer: \_\_\_\_\_

(c) Does the valve outlet conform with the specifications given in 30 CFR 1.1 (i), as amended? \_\_\_\_\_

(19) How are the valves protected? \_\_\_\_\_

(20) What is the condition of: (a) Containers? \_\_\_\_\_

(b) Valves? \_\_\_\_\_

(21) How can the applicant's containers be identified? \_\_\_\_\_

(22) What is the actual internal volume of the containers? \_\_\_\_\_

POINT OF DELIVERY

(23) Deliveries will be made by the Bureau at a point convenient to it, which ordinarily will be one of its helium plants. Unless and until the Bureau notifies the purchaser otherwise, deliveries under a contract arising out of this application will be made at the point specified in the Bureau's acceptance of this application, and empty containers may be shipped to that point.

(24) (a) How and from where are the applicant's containers to be transported to the point of delivery? \_\_\_\_\_

(b) How and to what point are the applicant's containers to be transported from the point of delivery? \_\_\_\_\_

SPECIAL SERVICES

(25) Special services applicant wishes Bureau to perform: \_\_\_\_\_

ESTIMATE OF TOTAL CHARGES

(See 29 CFR 1.2 and 1.3 (a) and (b), as amended)

Applicant's Estimate		Bureau's Estimate	
_____ units of helium at \$_____ per unit	\$_____	_____ units of helium at \$_____ per unit	\$_____
Service charges, except for containers supplied by the Bureau	\$_____	Service charges, except for containers supplied by the Bureau	\$_____
Estimated total	\$_____	Estimated total	\$_____

\* Itemize service charges on a separate sheet.

COMPUTATION OF MINIMUM INITIAL CASH ADVANCE<sup>1</sup>

(See 29 CFR 1.5 (a), 1.6 (a), (d), (e), (f), and (g), and 1.7, as amended)

Applicant's Computation		Bureau's Computation	
_____ units of helium at \$_____ per unit	\$_____	_____ units of helium at \$_____ per unit	\$_____
_____ units of helium at 1/2 of \$_____ per unit	\$_____	_____ units of helium at 1/2 of \$_____ per unit	\$_____
Service charges, except for containers supplied by the Bureau	\$_____	Service charges, except for containers supplied by the Bureau	\$_____
Total	\$_____	Total	\$_____

<sup>1</sup> When an application is for 500 units of helium or less, the minimum initial cash advance usually will be the same as the estimate of total charges. In that event only the total need be entered in this table. Neither the total charge nor the initial advance can be less than \$11.00 (see 29 CFR 1.2 (d), as amended). When an application is for more than 500 units of helium, the advance for the first 500 units at the full purchase price may be entered as the first item of this table, and the initial advance for the units in excess of 500, at one-half the purchase price, may be entered as the second item (see 29 CFR 1.7 (a), as amended).

## RULES AND REGULATIONS

The undersigned hereby:

1. Makes application to purchase helium in the quantity and subject to the terms and conditions above set forth.

2. Certifies that he has read the act approved September 1, 1937, (50 Stat. 885; 50 U. S. C. 161-166) and regulations issued pursuant thereto (30 CFR 1, as amended); that the use to be made of the helium applied for is not in violation of said act and regulations; and that all statements and answers hereinabove set forth are true.

3. Agrees that if this application is accepted by the Bureau it shall thereupon become a contract for the purchase and sale of helium upon the terms and conditions herein set forth; that the applicant will accept deliveries and make payments according to said terms and conditions and fully comply therewith, and will abide and be bound by the terms of said act and regulations.

4. Agrees that if this application becomes a contract, no Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of such contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such contract if made with a corporation for its general benefit.

(Applicant)

(The certificate below is to be executed if the applicant is a corporation.)

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ secretary of the corporation named as the applicant herein; that \_\_\_\_\_ who signed this application on behalf of the applicant, was then \_\_\_\_\_ of said corporation; that said application was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

[SEAL]

(The following portions of the form are to be filled in by the Bureau.)

#### CHECK AND BOND RECEIVED

Check in the amount of \_\_\_\_\_ \$  
Purchaser's bond \_\_\_\_\_ \$  
The foregoing application is hereby accepted. The specified point of delivery, as referred to in item "(23)" of the application, is \_\_\_\_\_

THE UNITED STATES OF AMERICA,

By \_\_\_\_\_  
Director, Bureau of Mines.

(b) Form of application and contract for use of helium containers.

Budget Bureau No. 42-R845  
Approval Expires November 30, 1951

APPLICATION TO USE HELIUM CONTAINERS SUPPLIED BY UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF MINES

This space is for recording by the Bureau of Mines and is not a part of the application.

Container application No. \_\_\_\_\_ Date \_\_\_\_\_  
19\_\_\_\_\_  
Application received by Bureau \_\_\_\_\_  
19\_\_\_\_\_  
Container contract No. \_\_\_\_\_ Date \_\_\_\_\_  
19\_\_\_\_\_  
Name of applicant: \_\_\_\_\_  
Address: \_\_\_\_\_  
Date: \_\_\_\_\_

Give full information as indicated below, attaching additional sheets if necessary for completing answers.

(1) Serial numbers and dates of the applicant's contracts to purchase helium from the Bureau now in effect: \_\_\_\_\_

(2) Dates of applications the applicant has submitted to purchase helium, notice of the acceptance of which has not been received: \_\_\_\_\_

(3) Type and number of containers and number of tractors the applicant wishes the Bureau to supply, and the applicant's estimate of the period the containers and tractors will be in service for the applicant:

(a) \_\_\_\_\_ standard-type cylinders for an average of \_\_\_\_\_ months each.

(b) \_\_\_\_\_ helium tank cars for an average of \_\_\_\_\_ days each.

(c) \_\_\_\_\_ helium semi-trailers for an average of \_\_\_\_\_ days each.

(d) \_\_\_\_\_ multiple-cylinder units for an average of \_\_\_\_\_ days each.

(e) \_\_\_\_\_ tractors to haul helium semi-trailers for an average of \_\_\_\_\_ days each, traveling a total of \_\_\_\_\_ miles hauling a semi-trailer and \_\_\_\_\_ miles without semi-trailer.

(4) Point to which filled containers are to be shipped: \_\_\_\_\_

#### ESTIMATE OF TOTAL CHARGES FOR USE OF CONTAINERS<sup>1</sup>

(See 30 CFR 1.3 (c) to (e), as amended)

Applicant's Estimate	(Applicant is not to write in this space.) Bureau's Estimate
_____ standard-type cylinders at \$0.45 each per month, for _____ months. \$	_____ \$
_____ helium tank cars at \$100 each, for first 5 days. \$	_____ \$
_____ helium tank cars at \$20 each per day, for additional days. \$	_____ \$
_____ helium semi-trailers at \$10 each, for first 2 days. \$	_____ \$
_____ helium semi-trailers at \$5 each per day, for additional days. \$	_____ \$
_____ multiple-cylinder units at \$9 each, for first 3 days. \$	_____ \$
_____ multiple-cylinder units at \$3 each per day, for additional days. \$	_____ \$
_____ tractors: \$	_____ \$
At \$30 each per day, for _____ days. \$	_____ \$
At \$0.10 per mile for miles pulling semi-trailer. \$	_____ \$
At \$0.06 per mile for miles without semi-trailer. \$	_____ \$
Total. \$	_____ \$

<sup>1</sup> In filling out this table, a fraction of a time period (1 month, 5 days, 2 days, 3 days, and 1 day) is to be counted as a whole period. (See 30 CFR 1.3 (e), as amended.)

#### COMPUTATION OF MINIMUM INITIAL CASH ADVANCE FOR USE OF CONTAINERS<sup>2</sup>

(See 30 CFR 1.8 (a), as amended)

Applicant's Computation	(Applicant is not to write in this space.) Bureau's Computation
_____ standard-type cylinders at \$0.60 each. \$	_____ \$
_____ helium tank cars at \$300 each. \$	_____ \$
_____ helium semi-trailers at \$50 each. \$	_____ \$
_____ multiple-cylinder units at \$30 each. \$	_____ \$
_____ tractors at \$150 each. \$	_____ \$
Total. \$	_____ \$

<sup>2</sup> The Bureau may require an advance larger than the total shown in this table, especially if it is materially less than the estimate of total charges for use of containers.

#### COMPUTATION OF CASH DEPOSIT OR BOND AS GUARANTEE FOR CONTAINERS AND CHARGES

(See 30 CFR 1.8 (b), as amended)

Applicant's Computation	(Applicant is not to write in this space.) Bureau's Computation
_____ standard-type cylinders at \$20 each. \$	_____ \$
_____ standard-type cylinders at \$10 each. \$	_____ \$
_____ helium tank cars at \$50,000 each. \$	_____ \$
_____ helium semi-trailers at \$10,000 each. \$	_____ \$
_____ multiple-cylinder units at \$4,000 each. \$	_____ \$
Total. \$	_____ \$

<sup>3</sup> Only the number of cylinders in excess of 500 may be entered at \$10 each.

The undersigned hereby:

1. Makes application to use containers supplied by the Bureau in numbers and under conditions as above described.

2. Certifies that he has read the act approved September 1, 1937 (50 Stat. 885; 50 U. S. C. 161-166), and regulations issued pursuant thereto (30 CFR 1, as amended); that the use to be made of the helium containers applied for is not in violation of said act and regulations; and that all statements and answers hereinabove set forth are true.

3. Agrees that if this application is accepted by the Bureau it shall thereupon become a contract for the furnishing by the Bureau and use by the applicant of helium containers of the number and type and upon the terms and conditions herein set forth; that the applicant will use, care for and return said containers and make payments according to said terms and conditions and fully comply therewith, and will abide and be bound by the terms of said act and regulations.

4. Agrees that if this application becomes a contract, no Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of such contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such contract if made with a corporation for its general benefit.

(Applicant)

(The certificate below is to be executed if the applicant is a corporation.)

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ secretary of the corporation named as the applicant herein; that \_\_\_\_\_ who signed this application on behalf of the applicant, was then \_\_\_\_\_ of said corporation; that said application was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

[SEAL]

(The following portions of the form are to be filled in by the Bureau.)

#### CHECK AND BOND RECEIVED

Certified check in the amount of \_\_\_\_\_ \$  
Bond as guarantee for containers and charges \_\_\_\_\_ \$

The foregoing application is hereby accepted.

THE UNITED STATES OF AMERICA,  
By \_\_\_\_\_  
Director, Bureau of Mines.

Recommended for approval.

R. R. SAYERS,  
Director, Bureau of Mines.

Recommended for approval: December 31, 1946.

J. A. KRUG,  
Secretary of the Interior.

Approved: January 2, 1947.

HARRY TRUMAN,  
The White House.

[F. R. Doc. 47-437; Filed, Jan. 16, 1947;  
8:53 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—Office of Temporary Controls, Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1945, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-84, as Amended Jan. 16, 1947]

#### MANILA (ABACA) AND AGAVE FIBER AND CORDAGE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of manila and agave and products made from them for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3290.221 *Conservation Order M-84—(a) Restrictions on sales, deliveries, receipts, and use of certain cordage products—(1) Rope and twine (except binder and baler twine)* No processor or dealer may sell, deliver, or accept delivery of new rope or new twine produced in the United States in whole or in part from Manila or agave, or from yarn made from such fibers, for end uses for which the rope or twine may not be manufactured under this order. However, this rule shall not prohibit the sale, delivery, or acceptance of rope made from agave fiber put into process before January 16, 1947 for any end use.

(2) *Binder and baler twine.* No person may sell or deliver new binder or new baler twine (wherever produced) if he knows or has reason to believe that:

(i) The binder twine will not be used with mechanical harvesting equipment

or in the growing, harvesting, or delivering of agricultural crops, or that the binder twine will be converted into rope or any other product; or

(ii) The baler twine will not be used in a self-tying machine for baling hay, straw, or other fodder crops.

(3) No person may use new binder or new baler twine (wherever produced) to manufacture rope for sale.

(b) *Purposes for which Manila or agave fiber or yarn may not be used—*(1) *Manila.* No processor may put into process any spinnable Manila fiber, or yarn made from such fiber (wherever produced) except to make rope for any end use. Non-spinnable Manila fiber may be used for any purpose unless obtained by allocations for particular uses under paragraph (f) (3) below.

(2) *Agave.* No processor may put into process any agave fiber, or yarn made from such fiber (wherever produced) except to make rope in the sizes described in Schedule A of this order, twines permitted in Schedule B of this order, and binder and baler twine.

Except as specifically authorized or directed in writing by the Civilian Production Administration, no processor may manufacture any binder or baler twine from agave fiber, unless made in accordance with the following specifications: The binder twine must measure 500 feet to the pound with a plus or minus tolerance of five per cent; and must contain a lubricant of at least ten per cent of the total weight of the twine, and an insect repellent. The baler twine must measure 200 to 225 feet to the pound with a plus or minus tolerance of five per cent; must contain a lubricant of at least ten per cent of the total weight of the twine, and an insect and rodent repellent.

(c) *Quantities of manila and agave fibers which may be used.* (1) Processing quotas will be issued in writing by the Civilian Production Administration to processors making any of the products permitted under paragraphs (b) (1) and (b) (2) above. No person shall put into process any spinnable Manila fiber or any agave fiber, until he has received such a quota, or in amounts in excess of his quota, regardless of whether the fiber is taken from inventory, or obtained by allocation under this order or in any other way. These quotas may not be transferred except as specifically authorized in writing by the Civilian Production Administration, or in accordance with Priorities Regulation 7A.

(2) In general, processing quotas for spinnable Manila fiber or agave fiber, for rope and products permitted in Schedule B, will be issued upon the following basis: The aggregate processing quota for Manila and agave fibers for each processor will be in proportion to his average monthly sales of both types of rope during the period January 1, 1939 through December 31, 1941; his processing quota for Manila fiber for rope will be in proportion to his average monthly sales of Manila rope during the period January 1 through December 31, 1939; and his processing quota for agave fiber will be in proportion to his processing quota for both fibers, less that for Ma-

nila. A manufacturer who was not in the hard fiber cordage business during 1939-40-41 may apply to the Civilian Production Administration, Textile Division, Washington 25, D. C. for a processing quota. The application should be filed by letter stating the quantity of fiber desired to be processed for each permitted product, and should include a statement of the facilities available for the manufacture of cordage products, as permitted under Order M-84, the maximum poundage of fiber which can be processed with his facilities on the basis of a 40-hour week, and the minimum poundage of fiber needed for economical operation during a three-month period. Applications from new manufacturers will be considered on an equitable basis, in view of the quotas issued to other manufacturers.

(3) Processing quotas for agave fiber for binder twine and baler twine will be prorated among processors on the basis of information previously filed with the War Production Board and Civilian Production Administration as to productive capacity, method, and rate of operation.

(4) Processing quotas for Manila fiber other than spinnable, are not required under this order.

(5) The Civilian Production Administration may also issue specific directions to processors as to the extension of more critical fibers by mixture with less critical ones (i. e., use of "extenders") in the manufacture of any product permitted under this order. No processor shall put any Manila or agave fibers into process contrary to the terms of any such direction, regardless of whether the fiber is taken from inventory, or obtained by allocation under this order or in any other way.

(d) *Inventory restrictions on Manila—*(1) *Processors' inventories.* No processor may accept delivery of any spinnable Manila fiber, or yarn made from such fiber, if his inventory of spinnable Manila fiber will be more than the amount he needs during the next 90 days, on the basis of his current or scheduled method and rate of operation, and for making only those products permitted under this order. No processor may accept delivery of any such fiber or yarn for making any product not permitted by this order.

(2) *Importers' and dealers' inventories.* No person, other than a processor or the Reconstruction Finance Corporation, may accept delivery of any spinnable Manila fiber if his inventory of such fiber held for resale will be more than the amount he would normally stock up in the ordinary course of his business to meet reasonably anticipated requirements, while continuing to dispose of such inventory as promptly as practicable in view of the orders received by him from persons permitted to accept deliveries under this order. If a person imports or buys fiber both for resale and for processing on his own facilities, and keeps separate inventory records of the fiber held for each purpose, his inventory held for resale shall be governed by this rule instead of that in paragraph (d) (1) but if he does not keep separate inventory records, his in-



ventory shall be governed by the rule in (d) (1).

(3) *Other inventory rules.* The limitations in paragraphs (d) (1) and (d) (2) above apply to deliveries and inventories within the continental United States only. Material which is being imported, but has not been released from United States Customs, is not to be considered as in inventory. The rules in Priorities Regulation 32 remain applicable, except to the extent inconsistent with this order.

(e) [Deleted Mar. 22, 1946.]

(f) *Allocation of fiber.* (1) No processor shall make or accept delivery of any Manila or agave fiber contrary to directions which from time to time the Civilian Production Administration may issue. The Civilian Production Administration may from time to time allocate to processors the available supplies of Manila and agave fiber held by the Reconstruction Finance Corporation, and specifically direct the time, manner, and quantities in which deliveries to processors shall be made or withheld.

(2) In general, allocations of spinnable Manila fiber and agave fiber held by the Reconstruction Finance Corporation, for rope and products permitted in Schedule B, and of agave fiber for binder twine and baler twine, will be prorated upon the same bases as are the processing quotas issued under paragraph (c) above. Applications need not be made by processors who have processing quotas. An application for a processing quota under paragraph (c) from a manufacturer who was not in the hard fiber cordage business during 1939-40-41 will also be considered as an application for an allocation, unless the applicant specifically indicates that he does not want to get any fiber from the Reconstruction Finance Corporation.

Since the only Manila fiber to be allocated will be that held by RFC, the amounts allocated will usually be less than those which may be accepted and used under the inventory limitations and processing quotas; and such additional amounts as may be accepted or used under this order within those limitations and quotas may be obtained from other sources without allocations.

(3) Allocations of Manila, other than spinnable, held by the Reconstruction Finance Corporation will in general be made to processors of specialty paper on an equitable basis taking into consideration prior use, facilities and other relevant factors. "Specialty paper" includes but is not limited to stencil base tissue, sausage casings paper, electrolytic condenser paper, gasket paper, and artificial leather. Applications should be made by letter to the Civilian Production Administration, Attention: Textile Division, and state the quantity of fiber desired, the products to be made from it, and the quantity used during 1945 and the first half of 1946. A processor who did not use this material during the whole period should, in addition, state his facilities available for processing Manila other than spinnable.

(g) *End use information.* No person may sell or deliver any product controlled by this order to any person who he knows or has reason to believe will use

the product in a manner which this order does not permit. He should satisfy himself as to this in some reasonable manner before delivering. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(h) *Restrictions on the use of damaged material.* Any processor or dealer who has in his possession damaged or defective manila or agave fiber or cordage, may report by letter the extent of the damage and state to the Civilian Production Administration the percentage not suitable for the manufacture of products or for use permitted by this order. He may then upon receipt of acknowledgment, without objection from the Civilian Production Administration, use or dispose of any portion unsuitable for the manufacture of products permitted by this order, free from its restrictions.

(i) *Reports.* (1) Processors of manila and agave fiber shall report monthly on CPA-2901, sections 1 and 2.

(2) Every person, except the Reconstruction Finance Corporation, who imports or purchases for import any spinnable Manila fiber, or yarn made from Manila fiber, shall report in writing (by letter or other written communication) to the Civilian Production Administration, Washington 25; D. C., Attn: Textile Division, Ref: M-84, stating the information required by the following instructions:

(i) Send this report to the above address not later than the 10th of each month to cover the preceding month. Keep one copy for your files. Date the report, state calendar month for which filed, name of your company, and its address (street, city, zone, and state)

(ii) As Item No. 1, list Manila (Abaca) Fiber (in bales) and as Item No. 2, list Manila Yarn (in thousands of pounds)

(iii) For each item, show separately the monthly shipments to you from any foreign countries during the calendar month covered by the report, and your inventory of each item as of the end of the month, for United States consumption. List separately that which is afloat to the United States, and that which is in the United States. For the purpose of this report (although not under paragraph (d) above) inventory includes fiber and yarn afloat, and on hand in the continental United States; where title has not been transferred to some other person (or in the case of an importer who is also a processor, all fiber and yarn afloat, and all within the continental U. S. except that held in this country for his own use) Report in units of bales on fiber, and in thousands of pounds on yarn.

(3) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Imports.* The importation of material or products covered by this order shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(k) *Definitions.* In this order:

(1) "Manila" means fiber which is commonly known in the trade by this term and also known as Abaca or Manila Hemp wherever grown (either stripped

or decorticated) but does not mean processor's mill waste or bagasse. "Spinnable Manila" means Manila which is spinnable over machinery but does not mean the fiber grades of O, T, Y, and W or equivalent as established by the Insular Government of the Philippine Islands.

(2) "Agave" means fiber, spinnable over machinery of the species agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin, but does not include processor's mill waste or bagasse.

(3) "Rope" means any rope or cable, treated or untreated, composed of three or more strands each strand composed of two or more yarns, and not less than 10 percent cordage lubricant (excluding tent and awning rope), but does not include strings and twines of whatever construction which are commonly used for tying, sewing, baling or other commercial packaging use.

(4) "Twine" means any single or plied yarn or roving, including marlin, for use as a tying material, for sewing or for any similar purpose, but does not include any product falling within the definition of "rope" "binder twine" or "baler twine."

(5) "Binder twine" means a single yarn twine usually containing agave, but sometimes containing manila,istle, jute, coir, hemp, cotton or paper, suitable for use in a harvesting machine and of the type customarily heretofore manufactured. It is also known as binding twine.

(6) "Baler twine" means a single yarn usually made of agave fiber and used in a self-tying machine for baling hay, straw or other fodder crops.

(7) "Processor" means any person (other than a United States Government agency) who spins, twists or otherwise uses any fiber or yarn in the manufacture of rope or twine, or who uses manila or agave fiber in the manufacture of any other product.

(1) *Appeals.* Any appeal from the provisions of this order should be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Applicability of regulations.* Except as specifically otherwise provided this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the Civilian Production Administration as amended from time to time.

(n) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assist-

ance by the Civilian Production Administration.

(o) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Textile Division, Civilian Production Administration, Washington 25, D. C., Ref. M-84.

(p) [Deleted July 15, 1946.]

Issued this 16th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A—AGAVE CORDAGE END USE

NOTE: Schedule A revised Jan. 16, 1947.

"This list specifies the permitted end uses for which rope may be manufactured from agave. It does not, however, restrict manufacture for and delivery to the Army, Navy and Maritime Commission.

"Fibers other than agave may be used in the manufacture of rope for any end use subject to applicable provisions of any Civilian Production Administration order dealing specifically with such fibers.

#### End use

Agave rope  $\frac{3}{8}$ " diam. ( $2\frac{3}{4}$ " cir.) and smaller, for any use."

[F. R. Doc. 47-546; Filed, Jan. 16, 1947; 11:34 a. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

[Instruction 1, Sections 1, 2, 4, 5, 6, 8 and 9, Pub. Law 589, 79th Cong.]

#### PART 5—ADJUDICATION: DEPENDENTS CLAIMS SERVICE (APPENDIX)

#### PART 10—INSURANCE (APPENDIX)

#### ADJUDICATION OF CLAIMS FOR DEATH BENEFITS, NATIONAL SERVICE LIFE INSURANCE

1. *Sec. 1 (a)* Section 1 (a) amends section 601 (f) of the National Service Life Insurance Act of 1940 to provide that a stepparent may be the designated beneficiary for National Service Life Insurance. Accordingly, in those cases in which a stepparent was named beneficiary and claim has been or will be made it will no longer be necessary for claimant to establish that he or she stood in loco parentis to the insured. The establishment of the step relationship alone will suffice.

2. (a) *Sec 1 (b)* This section reads as follows:

The amendment made by subsection (a) of this section to section 601 (f) of the National Service Life Insurance Act of 1940, as amended, shall not be construed (1) to require the discontinuance, for any period prior to the first day of the third calendar month following receipt of claim by or on behalf of a person brought within the permitted class of beneficiaries by such amendment, of any insurance award made prior to the date of enactment of this Act, or (2) to require duplicate payments of benefits in any case.

(b) If claim is received after August 1, 1946, from person designated as stepparent and found in order the award to person presently receiving benefits will be discontinued effective the monthly

payment date in the third calendar month following receipt of claim, e. g., if claim is received September 19, 1946, and monthly payment date is the twelfth, discontinuance date will be November 12, 1946. Award to stepparent will be based upon his or her age under option elected and will be effective date of death of insured and the brief face (VA Form 359) and the award card (VA Form 316 series) will bear the legend, "Sec. 602 (f), Subject to Prior Payments to Previous Payee(s) -----"

(Name of payee(s))

3. (a) *Sec. 2 (c) (2).* This section amends section 602 (c) of the National Service Life Insurance Act of 1940 as follows:

(2) Subject to the provisions of the first proviso under the caption "Transfer of Appropriations" contained in title II of the First Supplemental Surplus Appropriation Reclamation Act, 1946 (Public Law 301, Seventy-ninth Congress), any individual who has had active service between October 8, 1940, and September 2, 1945, both dates inclusive, shall be granted such insurance upon application therefor in writing and upon payment or authorization for deduction of premiums and evidence satisfactory to the Administrator showing such person to be in good health at the time of such application. In any case in which application for life or disability insurance or for reinstatement of such insurance is made prior to January 1, 1950, the Administrator shall not deny, for the purposes of this or any other section of this part, that the applicant is in good health because of any disabilities, less than total in degree, resulting from or aggravated by such active service. In any case in which insurance is granted by reason of the immediately preceding sentence, the premiums paid on such insurance shall be credited directly to the national service life insurance appropriation and any payments of benefits on such insurance shall be made directly from such appropriation. The maximum amount of insurance for which an individual is otherwise eligible to apply under this paragraph shall be decreased by the amount of any insurance which he may have surrendered for its cash surrender value.

(b) Brief Faces (VA Form 8-359) and award cards (VA Form 316 series) covering settlements under this subsection will bear the legend, "Sec. 602 (c) (2) N. S. L. I. Appro." and the award cards should show the amount of premiums to be deducted from initial settlement checks. In cases involving converted National Service Life Insurance on the VA Form 8-362 (Public Voucher for Payment of Death Benefits, National Service Life Insurance Act of 1940) there should be substituted for the printed legend, "Appropriation: 36X6132, National Service Life Insurance Fund, V. A." the following legend, "Appropriation: 36X0126, National Service Life Insurance Appropriation, V. A. Sec. 602 (c) (2)." Awards of this type will not require action by the Committee on Extra Hazards of Service.

4. (a) *Sec. 2 (c) (3).* This section amends section 602 (c) of the National Service Life Insurance Act as follows:

(3) Any person in the active service between October 8, 1940, and September 2, 1945, both dates inclusive, who, while in such service, made application in writing for insurance while performing full military or naval duty, which application was denied solely on account of his condition of health, and the applicant thereafter shall have incurred a

total and permanent disability in line of duty or died in line of duty, shall be deemed to have applied for and to have been granted such insurance as of the date of such application and such insurance shall be deemed to be or to have been continued in force to the date of death of such person. In any case in which insurance deemed to have been granted under this paragraph matures or has matured, there shall be deducted from the proceeds of such insurance the premiums payable thereon from the date of application to the date of incurrence of total and permanent disability in line of duty or to the date of death, if permanent and total disability was not incurred. Any payments on such insurance shall be made directly from the national service life insurance appropriation. The amount of insurance deemed to have been granted under this paragraph when added to any other insurance in force under the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, or this part, shall not in the aggregate exceed \$10,000.

(b) Payment of death benefits under this subsection will be authorized only if death occurred in service in line of duty between October 8, 1940, and September 2, 1945, both dates inclusive, or, if death occurred after discharge, only if permanent and total disability is determined to have been incurred in line of duty during such period of service and to have existed continuously from date of incurrence to date of death. Determinations of permanent and total disability under this subsection will be made by the Insurance Service, Disability Insurance Claims Division, and cases will be so referred for that purpose.

(c) Brief Faces (VA Form 8-359) and award cards (VA Form 316 series) covering settlements under this subsection will bear the legend, "Sec. 602 (c) (3) N. S. L. I. Appro." and the award cards should show the amount of premiums to be deducted from initial settlement checks. Awards of this type will not require action by the Committee on Extra Hazards of Service.

5. (a) *Sec. 4.* This section provides:

Section 602 (g) of the National Service Life Insurance Act of 1940, as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: "Provided, That the provisions of this subsection as to the restricted permitted class of beneficiaries shall not apply to any national service life insurance policy maturing on or after the date of enactment of the Insurance Act of 1946."

(b) Accordingly, as to claims involving insurance maturing on or after August 1, 1946, it will no longer be necessary to request proof of relationship.

6. (a) *Sec. 5 (a)* This section amends section 602 (h) of the National Service Life Insurance Act of 1940 to provide that in those cases where payment of National Service Life Insurance benefits began prior to September 30, 1944, regardless of method of payment to beneficiary to whom payment was first made, the present beneficiary, whether or not the first beneficiary, shall have the right to elect to receive a Refund Life Income based on age of first beneficiary on the date of insured's death. All such beneficiaries must be advised of this right of election within one year after August 1, 1946, by registered letter sent to last known address. The right of election terminates two years after August 1,

1946. Form letters and procedure covering notice of right of election are in course of preparation and will be available shortly.

(b) Two types of cases will not be disturbed by the review required by this subsection. (1) Those cases in which election of Refund Life Income would result in payment of installments over a period of less than 120 months certain, i. e., those cases in which beneficiary first entitled to payment was 69 or more on the date of the insured's death; (2) those cases in which the beneficiary first entitled to payment was under 30 on the date of the insured's death and who has since died or, if widow receiving gratuitous National Service Life Insurance, has remarried. The election of the Refund Life Income by the present beneficiary would result in a certain loss in all such cases and it is not believed that section 5 of the Insurance Act of 1946 was enacted to permit beneficiaries to make elections which could only be to their detriment.

(c) All awards under this subsection whether present beneficiary is beneficiary first entitled to payment or not will be effective from date of maturity (date of insured's death) and will be subject to prior payments. If award is to beneficiary first entitled to payment the brief face (VA Form 8-359) and the award card (VA Form 316 series) will bear the legend: "Sec. 602 (h) (1) or Sec. 602 (h) (2) (whichever is applicable) Subject to prior payment." If award is to beneficiary other than beneficiary first entitled to payment the brief face and the award card will bear the legend: "Sec. 602 (h) (1) or Sec. 602 (h) (2) (whichever is applicable) Subject to prior payments to previous payee(s) ----- (Name of Payee(s))."

Award to these beneficiaries will show also the amount of the final reduced installment and the end of the period certain. Tables of Values for final reduced installments all ages will be furnished.

7. (a) *Sec. 6.* Section 6 amends section 602 (m) of the National Service Life Insurance Act of 1940 by adding the following:

(2) In any case in which the insured provided for the payment of premiums on his insurance by authorizing in writing the deduction of premium from his service pay, such insurance shall be deemed not to have lapsed so long as he remained in active service prior to the date of enactment of the Insurance Act of 1946, notwithstanding the fact that deduction of premiums was discontinued because:

(A) The insured was discharged to accept a commission, or

(B) The insured was absent without leave, if restored to active duty; or

(C) The insured was sentenced by court martial, if he was restored to active duty, required to engage in combat, or killed in combat.

In any case in which the insured under any insurance continued in force by the provisions of this paragraph died while such insurance was so continued in force, any premiums due on such insurance shall be deducted from the proceeds of the insurance. Any premiums deducted or collected on any such insurance shall be credited to the national service life insurance appro-

priation and any payments of benefits on any such insurance shall be made directly from such appropriation.

(b) All claims heretofore disallowed for reasons enumerated in provisions of law quoted above will be reviewed and, if found otherwise in order, will be allowed. Brief Faces (VA Form 8-359) and award cards (VA Form 316 series) covering settlements under this subsection will bear the legend, "Sec. 602 (m) (2) N. S. L. I. Appro." and the award cards should show the amount of premiums to be deducted from initial settlement checks. In cases involving converted National Service Life Insurance on the VA Form 8-362 (Public Voucher for Payment of Death Benefits, National Service Life Insurance Act of 1940) there should be substituted for the printed legend, "Appropriation: 36X8132, National Service Life Insurance Fund, V. A." the following legend, "Appropriation: 36X0126, National Service Life Insurance Appropriation, V. A., Sec. 602 (n) (2) " Awards of this type will not require action by the Committee on Extra Hazards of Service.

8. (a) *Sec. 8.* This section amends section 602 (p) of the National Service Life Insurance Act of 1940 by adding:

Notwithstanding the foregoing provisions of this subsection, any case in which prior to the date of enactment of the Insurance Act of 1946 application was made for insurance to become effective subsequent to the date of application and the applicant died in line of duty prior to the date such insurance was to become effective the United States shall be liable to the same extent as it would have been if such insurance had been in force on the date of death of the applicant. Any payments of benefits made as a result of the enactment of the preceding sentence shall be made directly from the national service life insurance appropriation.

(b) The claims heretofore disallowed under section 602 (p) because the insured died prior to the effective date of the insurance requested in his application and in which death was in line of duty should be reviewed and if found otherwise in order should be allowed.

(c) If not paid by allotment of service pay or otherwise, one premium should be deducted from initial settlement check and if more than one premium was paid and not heretofore refunded the unearned premiums should be refunded. If premiums were deducted from service pay or otherwise paid and have already been refunded one premium should be rededucted. Such refunds or deductions should be shown on the award card.

(d) Brief Faces (VA Form 8-359) and award cards (VA Form 316 series) covering settlements under this subsection will bear the legend, "Sec. 602 (p) N. S. L. I. Appro." Awards of this type will not require action by the Committee on Extra Hazards of Service.

9. (a) *Sec. 9.* This section amends section 602 of the National Service Life Insurance Act of 1940 by adding a new subsection (t) as follows:

(t) Insurance maturing on or subsequent to the date of enactment of the Insurance Act of 1946 shall be payable in accordance with the following optional modes of settlement:

(1) In one sum.

(2) In equal monthly installments of from thirty-six to two hundred and forty in number, in multiples of twelve.

(3) In equal monthly installments for one hundred and twenty months certain with such payments continuing during the remaining lifetime of the first beneficiary.

(4) As a refund life income in monthly installments payable for such period certain as may be required in order that the sum of the installments certain, including a last installment of such reduced amount as may be necessary, shall equal the face value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of the first beneficiary: *Provided*, That such optional settlement shall not be available in any case in which such settlement would result in payments of installments over a shorter period than one hundred and twenty months.

Unless the insured elects some other mode of settlement, the insurance shall be payable to the designated beneficiary or beneficiaries in thirty-six equal monthly installments. The first beneficiary may elect to receive payment under any option which provides for payment over a longer period of time than the option elected by the insured, or if no option be designated by the insured, in excess of thirty-six months. If the option selected requires payment to any one beneficiary of monthly installments of less than \$10, the amount payable to such beneficiary shall be paid in such maximum number of monthly installments as are a multiple of twelve as will provide a monthly installment of not less than \$10. If the present value of the amount payable at the time any person initially becomes entitled to payment thereof is not sufficient to pay at least twelve monthly installments of not less than \$10 each, such amount shall be payable in one sum. Options (3) and (4) shall not be available if any firm, corporation, legal entity (including the estate of the insured), or trustee is beneficiary, or in any case in which an endowment contract matures by reason of the completion of the endowment period.

(b) A new form letter (FL 8-72) and a new optional settlement form (VA Form 8-1501a) have been devised and will be used to cover claims in which insurance matures on or after August 1, 1946. This form letter and this new form are now available on usual requisition. Instructions appearing on VA Form 8-1501a explain all modes of settlement (options) fully and complete tables of values appear on the reverse side of the form. VA Form 8-1501 will continue to be used for insurance maturing prior to August 1, 1946 and FL 8-64 and FL 8-62 will continue to be used in sending out claims where the insurance matured prior to August 1, 1946.

(c) Section 9 also adds a new subsection (u) as follows:

(u) With respect to insurance maturing on or subsequent to the date of enactment of the Insurance Act of 1946, in any case in which the beneficiary is entitled to a lump-sum settlement but elects some other mode of settlement and dies before receiving all the benefits due and payable under such mode of settlement, the present value of the remaining unpaid amount shall be payable to the estate of the beneficiary; and in any case in which no beneficiary is designated by the insured, or the designated beneficiary does not survive the insured, or a designated beneficiary not entitled to choose a lump-sum settlement survives the insured, and dies before receiving all the benefits due and payable, the commuted value of the insurance remaining unpaid shall be paid in

one sum to the estate of the insured: *Provided*, That in no event shall there be any payment to the estate of the insured or of the beneficiary of any sums unless it is shown that any sums paid will not escheat.

(d) Under this subsection the designated beneficiary who is entitled to payment in one sum and who survives the insured has a vested right to the insurance; therefore, the rights of a contingent beneficiary, if any, are extinguished. Where the designated beneficiary in any such case has elected settlement in monthly installments, in lieu of a one sum payment, and dies before receiving all of the installments certain, the present value of the remaining unpaid installments certain will be paid to such beneficiary's estate (see § 10.3490)

(e) Settlements under this subsection will be authorized to the personal representative (administrator or executor) of the estate of the insured or the beneficiary depending upon the circumstances of the particular case. The personal representative, in addition to filing claim, will be called upon to furnish: (i) Certified copy of letters of administration, or letters testamentary, bearing the signature and seal of the appointing court, (ii) certified copy of any bond which may have been required bearing the signature and seal of the appointing court, (iii) statement bearing signature and seal of the appointing court to the effect that the court has been advised of the amount of insurance payable to the estate of the insured (or of the beneficiary) or copy of petition for letters of administration or letters testamentary showing this amount. Before settlement is authorized to any estate it must be determined that there will be no escheat. Tables of commuted values are in course of preparation. Pending their completion the commuted value of remaining installments in any particular case will be furnished on request. Pending the devising of a new form for the exclusive use of executors and administrators VA Form 8-355 will be adapted for claims under this subsection.

(f) Section 9 also adds to section 602 a new subsection (w) as follows:

(w) Subject to the provisions of section 612 of the National Service Life Insurance Act of 1940, as amended, all contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issue, reinstatement, or conversion except for fraud, non-payment of premium, or on the ground that the applicant was not a member of the military or naval forces of the United States.

(g) Claims for death benefits under contracts of National Service Life Insurance heretofore and hereafter issued, reinstated or converted may not be disallowed, if otherwise in order, except for the reasons set forth in the subsection above and for the reasons contained in section 612 of the National Service Life Insurance Act of 1940.

(h) Section 9 also adds to section 602 a new subsection (x) as follows:

(x) When an optional mode of settlement of insurance heretofore or hereafter matured is available to a beneficiary who is a minor or incompetent, such option may be exercised by his fiduciary, person qualified under Pub-

lic Law 373, Seventy-second Congress, February 25, 1933 (47 Stat. 897; 25 U. S. C. 14), or person recognized by the Administrator as having custody of the person or the estate of such beneficiary, and the obligation of the United States under the insurance contract shall be fully satisfied by payment of benefits in accordance with the mode of settlement so selected.

(i) Under this subsection elections made by guardians and other fiduciaries on VA Form 8-1501 and VA Form 8-1501a will no longer require approval by the appointing court.

(j) Supplementary instructions will be furnished covering section 13. (60 Stat. 781)

[SEAL] OMAR N. BRADLEY,  
General, U. S. Army,  
Administrator of Veterans' Affairs.

DECEMBER 18, 1946.

[F. R. Doc. 47-464; Filed, Jan. 16, 1947;  
8:47 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[Administrative Order ODT 7A, Revocation]

#### PART 503—ADMINISTRATION

##### DELEGATION OF AUTHORITY; RAILWAY TRANSPORT DEPARTMENT

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That Administrative Order ODT 7A (§ 503.210 Appointment of special representative, 10 F. R. 8912) be, and it is hereby, revoked effective January 15, 1947.

(E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.  
[F. R. Doc. 47-460; Filed, Jan. 16, 1947;  
8:47 a. m.]

[Administrative Order ODT 1, as Amended,  
Partial Revocation]

#### PART 503—ADMINISTRATION

##### DELEGATIONS OF AUTHORITY

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That §§ 503.7, 503.8, 503.9, and 503.12 of Administrative Order ODT 1, as amended (8 F. R. 6001, 9887, 10 F. R. 1830), and Supplementary Administrative Order ODT 1-1 (8 F. R. 6973) be, and they are hereby, revoked effective January 15, 1947.

(E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.  
[F. R. Doc. 47-459; Filed, Jan. 16, 1947;  
8:48 a. m.]

[Gen. Order ODT 67, as Amended,  
Revocation]

#### PART 502—DIRECTION OF TRAFFIC MOVEMENT

##### OPERATION OF VESSELS ON GREAT LAKES

Pursuant to Executive Orders 8989, as amended, and 9729, *It is hereby ordered*, That General Order ODT 67, as amended, §§ 502.330 to 502.334, inclusive (11 F. R. 12036, 12364, 13065) be, and it is hereby, revoked effective January 15, 1947.

(E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 47-458; Filed, Jan. 16, 1947;  
8:48 a. m.]

[Administrative Order ODT 12, Revocation]

#### PART 503—ADMINISTRATION

##### DELEGATION OF AUTHORITY; NECESSITY CERTIFICATES, DIVISION OF RAILWAY TRANSPORT

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That Administrative Order ODT 12 (§ 503.300 Recommendations in respect to the issuance of necessity certificates, 9 F. R. 404) be, and it is hereby, revoked effective January 15, 1947.

(E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.  
[F. R. Doc. 47-461; Filed, Jan. 16, 1947;  
8:47 a. m.]

[Administrative Order ODT 29, Partial  
Revocation]

#### PART 503—ADMINISTRATION

##### DELEGATION OF AUTHORITY TO DIRECTORS OF HIGHWAY, RAILWAY, WATERWAY, AND LIQUID TRANSPORT DEPARTMENTS

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That § 503.497 of Administrative Order ODT 29 (9 F. R. 14073) be, and it is hereby, revoked effective January 15, 1947.

(E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.  
[F. R. Doc. 47-462; Filed, Jan. 16, 1947;  
8:48 a. m.]

## NOTICES

## TREASURY DEPARTMENT

## United States Coast Guard

[CGFR-47-1]

## APPROVAL AND TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 163-167, sec. 5 (e) 55 Stat. 244 (46 U. S. C. 367, 369, 375, 391a, 392, 404, 474, 481, 489, 526-526t, 50 U. S. C. 1275) and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) the following approvals and terminations of approvals are prescribed:

## BUOYANT CUSHIONS FOR MOTORBOATS

Approval No. B-358, double cushion No. 1, 14" x 14" x 2" seat, 20 ounces kapok, 14" x 14" x 2" back, 20 ounces kapok, double kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by Jurgensen Manufacturing Co., 162 Gates Ave., Brooklyn 16, N. Y.

Approval No. B-359, double cushion No. 2, 14" x 14" x 2" seat, 20 ounces kapok, 14" x 18" x 2" back, 25 ounces kapok, double kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by Jurgensen Manufacturing Co., 162 Gates Ave., Brooklyn 16, N. Y.

## CLEANING PROCESS FOR LIFE PRESERVERS

Opera House cleaning process for cork life preservers, submitted by Opera House Laundry, 217 N. W. Everett, Portland, Oreg.

## DAVITS

Winch type CA crescent aluminum davit; general arrangement Dwg. No. 3071-2 dated February 8, 1946, altered March 8, 1946; arm and frame detail Dwg. No. 3071-1 dated January 30, 1946, altered October 16, 1946; working load 5850 pounds per arm; submitted by the Welin Davit and Boat Division of The Robinson Foundation, Inc., Perth Amboy N. J. This approval supersedes the approval published in the FEDERAL REGISTER of August 15, 1946 (11 F. R. 8836) which is hereby terminated.

Winch type CAB crescent aluminum davit; general arrangement Dwg. No. 3086, dated April 12, 1946; arm and frame detail Dwg. No. 3086-2, dated April 10, 1946, altered October 16, 1946; maximum load of 6500 pounds per arm; submitted by the Welin Davit and Boat Division of The Robinson Foundation, Inc., Perth Amboy, N. J.

## FIRE RETARDANT MATERIAL FOR VESSEL CONSTRUCTION

Hollow aluminum Class B-15 bulkhead panel, Aetna aluminum ship bulkhead, overall thickness 2", filled with two 1" blankets of 4-pound density BX-4M Rock Wool, Dwg. No. A-1010, dated May 22, 1946, submitted by the Aetna Marine Corp., 61 Broadway, New York 6, N. Y.

## LIFEBOAT

26' x 7.75' x 3.25' metal oar-propelled lifeboat, 40-person capacity, general arrangement Dwg. No. G-389 dated September 6, 1946, and revised October 15, 1946, submitted by C. C. Galbraith and Son, Inc., New York, N. Y.

## RELIEF VALVES FOR LIQUEFIED INFLAMMABLE GASES

Relief valves for liquefied inflammable gases for maximum pressure of 250 per square inch; size 1.3136 square inch, type MS-6, Dwg. No. 31-11867B; size 1.5767 square inch, type MS-7, Dwg. No. 31-11868B; size 3.44 square inch, type MS-8, Dwg. No. 31-11869B; manufactured by the American Car and Foundry Co., 30 Church St., New York, N. Y. These approvals supersede the approvals by the former Bureau of Marine Inspection and Navigation of July 10, 1941 for relief valves for liquefied inflammable gases; size 1.5764 square inch, type MS-2, Dwg. No. 31-647; size 1.5764 square inch, type MS-3, Dwg. No. 31-648; size 3.4222 square inch, type MS-1, Dwg. No. 31-649; size 3.4222 square inch, type MS-4, Dwg. No. 31-650; size 0.6401 square inch, type MS-5, Dwg. No. 31-651, which are hereby terminated.

## TELEPHONE SYSTEMS

Sound-powered telephone equipment, selective ringing, common talking, 17 stations maximum, splash-proof, Type Nos. 3, 6, and 8, Dwg. No. 70-523-1, Alt. 0, submitted by Henschel Corporation, Amesbury, Mass.

## WINCH

Winch type BWB horizontal lifeboat winch, general arrangement Dwg. No. 2477N, dated December 13, 1944, altered December 9, 1946, working load 8,600 pounds per drum, 17,200 pounds per winch, submitted by the Welin Davit and Boat Division of The Robinson Foundation, Inc., Perth Amboy, N. J. This approval excludes use of above winch with nested type lifeboats.

## CONDITIONS OF APPROVAL AND TERMINATION OF APPROVAL

The above approvals shall be effective upon the date of publication of this order in the FEDERAL REGISTER.

The termination of approval made by this order shall be made effective on the thirty-first day after the date of publication of this order in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment made before the effective date of termination of approval may be used so long as it is in good and serviceable condition.

Dated: JANUARY 10, 1947.

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 47-447; Filed, Jan. 16, 1947;  
8:51 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-943]

INTERSTATE NATURAL GAS CO., INC.

## NOTICE OF APPLICATION

JANUARY 13, 1947.

Notice is hereby given that on January 7, 1947, Interstate Natural Gas Company, Incorporated (Applicant) a corporation organized under the laws of the State of Delaware, with its principal place of business in Monroe, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended to authorize Applicant to construct and to operate facilities as follows:

An 8-inch gas pipe-line approximately twenty-six (26) miles in length, from a point in Section 31, Township 15 North, Range 3 East, Caldwell Parish, Louisiana, in the Vixen Gas Field extending through the southeast corner of Ouachita Parish into Richland Parish to a point of connection with Interstate's main transmission line in Section 10, Township 16 North, Range 6 East, together with a metering station.

Applicant states, the facilities above described will enable it to obtain natural gas from the Shell Oil Company Inc., under terms of a contract attached to and made a part of the application.

This contract provides for the delivery and sale of natural gas to the Applicant at the point of connection in Caldwell Parish in quantities to average ten million (10,000,000) cubic feet per day for ten years unless the wells in Vixen Field fail to meet production requirements as are specifically stated in the agreement. It further provides that the price per 1000 cubic feet of gas shall be five cents (5¢) for the first five years and for the last five years the price shall be determined by agreement or otherwise.

Applicant states that the total cost of the proposed facilities is estimated at \$325,000.00, to be financed from cash on hand.

Applicant further states the purpose of the proposed facilities is to secure more natural gas for its present service to its main line customers under existing contracts and for normal additional business taken on by reason of the installation of the proposed facilities.

Any interested state or state commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter, and further to specify whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Interstate Natural Gas Company incorporated should file with the Federal Power Commission, Wash-



ington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-448; Filed, Jan. 16, 1947;  
8:52 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION

[Special Order ODT R-2, Revocation]

PASSENGER SERVICE BETWEEN NEW ALBANY  
AND PRINCETON, IND.

### DISCONTINUANCE OF PASSENGER SERVICE

Pursuant to Executive Order 8989, as amended, Special Order ODT R-2 (7 F. R. 10120) is hereby revoked effective at 11:59 o'clock p. m., January 31, 1947.

(E. O. 8989, December 18, 1941, 6 F. R. 6725; E. O. 9389, October 18, 1943, 8 F. R. 14183)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director

Office of Defense Transportation.

[F. R. Doc. 47-457; Filed, Jan. 16, 1947;  
8:47 a. m.]

[Special Order ODT R-4, Revocation]

BALTIMORE AND OHIO RAILROAD Co.

DIRECTING MODIFICATION OF RAIL FACILITIES  
AT HYATTSVILLE, MD.

Pursuant to Executive Order 8989, as amended, Special Order ODT R-4 (7 F. R. 10413) is hereby revoked effective at 11. 59 o'clock p. m., January 31, 1947.

(E. O. 8989, December 18, 1941, 6 F. R. 6725; E. O. 9389, October 18, 1943, 8 F. R. 14183)

Issued at Washington, D. C., this 13th day of January 1947.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 47-458; Filed, Jan. 16, 1947;  
8:48 a. m.]

## OFFICE OF TEMPORARY CONTROLS

Civilian Production Administration

REVOCATION OF CONSENT ORDERS

### LIST 5

In view of the revocation of General Preference Order M-38, the Director of the Compliance Division and the General Counsel have directed that the consent orders hereinafter listed be revoked forthwith.

In view of the foregoing, *It is hereby ordered*, That the following consent orders be revoked, effective January 16, 1947: *Provided, however*, That this revocation does not affect any liabilities in-

curred for violation of the consent order prior to revocation.

C-450 Excel Battery & Equipment Co.  
C-458 Great Northern Battery Co.  
C-433 Price Battery Corporation.  
C-431 Staab Battery Mfg. Co.

Issued this 16th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-545; Filed, Jan. 16, 1947;  
11:34 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 70-1422, 70-1423]

STANDARD GAS AND ELECTRIC CO. AND OKLA-  
HOMA GAS AND ELECTRIC CO.

### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of January 1947.

Notice is hereby given that Standard Gas and Electric Company ("Standard") a registered holding company and its subsidiary Oklahoma Gas and Electric Company ("Oklahoma Gas"), a public utility company, have filed separate applications or declarations pursuant to the Public Utility Holding Company Act of 1935 ("Act"). Standard has designated sections 11 (b) and 12 (d) of the act and Rules U-24, U-44 and U-50 promulgated thereunder as applicable to its proposed transactions; Oklahoma Gas has designated sections 6 and 7 of the act and Rules U-24 and U-50 promulgated thereunder as applicable to its proposed transactions.

Notice is further given that any interested person may not later than January 20, 1947 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, or either of them, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said filings proposed to be controverted or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter (unless the Commission should prior thereto, at the request of any interested person or on its own motion, order a hearing thereon) such applications or declarations, as filed or as amended, may be granted or may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or as otherwise provided under said act and rules and regulations, or the Commission may exempt such transactions, or either of them, as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications or declarations, which are on file in the office of the Commission, for a statement of the transactions therein proposed which are summarized below:

Standard proposes to sell all of the 750,000 shares (being all the presently issued and outstanding shares of common stock, of the par value of \$20 per share) of Oklahoma Gas. The sale of such stock is to be made at competitive bidding pursuant to Rule U-50. Simultaneously with such sale, Oklahoma Gas proposes to issue and sell an additional issue of 140,000 shares of its common stock, also at competitive bidding pursuant to Rule U-50.

Standard will apply the proceeds of the aforesaid sale of 750,000 shares of common stock of Oklahoma Gas towards the payment of interest and principal on its promissory notes dated April 10, 1946 issued to various banks under the Bank Loan Agreement of Standard dated December 21, 1945, as supplemented by supplemental agreements dated February 15, 1946 and April 5, 1946 (copies of which are on file with this Commission in File No. 70-1211). It is represented that the proposed transactions are for the purpose of enabling Standard to comply with the provisions of subsection (b) of section 11 of the act and with the order of this Commission dated August 8, 1941 issued pursuant thereto, File No. 59-9.

Oklahoma Gas proposes to apply \$1,470,000 of the net proceeds of the sale of the additional issue of 140,000 shares of its common stock to the prepayment, without premium, of an equal principal amount of its outstanding Serial Notes bearing interest at the rate of 1 7/8 percent per annum and maturing in fourteen equal semi-annual installments; such prepayments are to be applied ratably to all the outstanding Serial Notes, thereby reducing each semi-annual installment from \$605,000 to \$500,000. Oklahoma Gas proposes to use the balance of the proceeds of the sale of said 140,000 shares together with additional funds generated from operations to provide funds for the acquisition and construction during 1947 of additions and betterments to its physical properties. This program represents a change from that originally proposed at the time of the issuance of the notes. The Serial Notes were issued in May of 1946, in a total amount of \$9,075,000, of which \$4,875,000 was issued to refund an equal amount of then outstanding notes and \$4,200,000 of new notes was issued to provide funds for the redemption price of 33,978 shares of Seven Per Cent Cumulative Preferred Stock of Oklahoma Gas. At the time of the issuance of the notes it was contemplated that the new Serial Notes in the amount of \$4,200,000 would be refunded by the sale of Common Stock at the first opportune time. However, Oklahoma Gas states that its business has increased so substantially since that time as to require acceleration during 1947 of its construction program in order to enable the Company better to meet the increasing demand for service. Oklahoma Gas, therefore, proposes to use only \$1,470,000 of the net proceeds from the sale of common stock for the prepayment of its serial notes and to use the balance of the net proceeds to provide funds for the accelerated construction program for 1947. Oklahoma Gas states that it believes that the pro-

posed program is the best means of financing these expenditures for additional property, which it estimates will total \$6,100,000, and further states that to the extent these expenditures exceed the amount of net proceeds from the sale of common stock applied to this purpose, it estimates that the additional funds can be provided from the cash accrued during 1947 as a result of non-cash charges to income or surplus for depreciation or amortization.

Both Standard and Oklahoma Gas have requested that the ten-day notice period for inviting bids as provided for by subsection (b) of Rule U-50 be shortened to six days so as to minimize the possibility of the postponement of the opening of bids due to a change of market conditions between the time the day of opening of bids is designated and such day. In this connection, the applicants have not designated a day certain on which bids are to be opened, but they propose to advise this Commission by telegram on the day preceding the publication of a public invitation for bids to purchase the common stock of Oklahoma Gas of their intention so to do and the proposed date of opening of such bids.

Standard further requests that this Commission find that the sale of the 750,000 shares of common stock of Oklahoma Gas by Standard is necessary or appropriate to effectuate the provisions of section 11 (b) of the act and make the specifications and itemizations necessary in order that the provisions of sections 371 (b) 371 (f) and 1808 (f) of the Internal Revenue Code shall be applicable.

A declaration of Oklahoma Gas, dated October 1, 1943, as subsequently amended, which became effective by order of this Commission dated October 28, 1943, included the following undertaking of Oklahoma Gas:

During the 10-year period beginning September 1, 1943, the Company will not declare or pay any dividend on its capital stock of any class now outstanding or which hereafter may be issued (other than a dividend payable solely in shares of common stock), or make any other distribution on or acquire any shares of its common stock, which would reduce its earned surplus accumulated after August 31, 1943, below an amount equal to \$450,000 for each year of such period then elapsed, less any amounts by which the Utility Plant account of the Company (excepting Franchises and Consents) shall have been amortized subsequent to September 1, 1943, in accordance with a program filed with regulatory authorities having jurisdiction or with an order issued by any such authority, whether such amortization shall have been effected through charges to income or charges to earned surplus accumulated after August 31, 1943: *Provided, however, That to the extent that the capital of the Company shall have been increased to an amount in excess of \$15,000,000 through the issuance and sale of common stock, there shall be a corresponding reduction in the amount of earned surplus restricted as a result of the foregoing provision, except that if the Company shall issue or sell common stock while any of the Serial Notes to be presently issued are outstanding, such reduction shall be limited to the amount by which such Notes are retired by use of the proceeds from the issuance or sale of such common stock. Earned surplus restricted in accordance with the provisions of this paragraph shall not be*

available for the declaration of dividends at any time.

Oklahoma Gas proposes to rescind and nullify the above-recited undertaking and requests an order permitting it to do so.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 47-431; Filed, Jan. 16, 1947;  
8:52 a. m.]

[File No. 70-1424]

UNITED CORP.

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of January 1947.

The United Corporation ("United"), a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 of the rules and regulations promulgated thereunder regarding the following proposed transactions:

United proposes to declare and pay the quarterly dividend of 75 cents per share which will accrue on its \$3 Cumulative Preference Stock on January 1, 1947.

As of December 18, 1946, United had outstanding 1,136,199 shares of \$3 Preference Stock. However, the number of shares of such stock which may be outstanding on the record date of the proposed dividend cannot be determined at this time, since the company is proceeding with the purchase of a limited number of the shares of such stock as authorized by the Commission's Order of August 9, 1946 (Holding Company Act Release No. 6936). Based on the number of shares outstanding as of December 18, 1946, the proposed dividend would amount to \$852,149. United's entire balance in Earned Surplus, estimated at \$766,000 as of January 1, 1947, will be utilized for the payment of such dividends, and the remaining part of the aggregate amount of such dividend will be charged to unrestricted capital surplus which as of November 30, 1946 amounted to \$29,557,236.

The proposed transaction is described as a facilitating step in a program contemplated by United to effectuate further partial compliance with the Commission's Order of August 14, 1943, directing United to change its capitalization to one class of stock, namely, common stock, and to take such action as will cause it to cease to be a holding company. As part of such program, United, pursuant to authorization contained in the Commission's orders of July 17, 1946 and September 27, 1946 (Holding Company Act Release Nos. 6787 and 6921) has paid in full all dividends on its \$3 Preference Stock accumulated up to and including October 1, 1946 and contemplates the filing of plans, which are not before us for approval at this time, providing for further compliance with the Commission's Order of August 14, 1943.

The declaration having been filed on December 23, 1946 and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect thereto within the period specified in such notice or otherwise and the Commission not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (c) of the act and Rule U-46 thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and the interests of investors and consumers to permit said declaration to become effective;

*It is hereby ordered*, Effective forthwith, pursuant to Rule U-23 and the applicable provisions of the Act and subject to the terms and conditions prescribed in Rule U-24, that the said declaration be, and the same hereby is, permitted to become effective: *Provided, however* That the Commission's action in permitting the declaration to become effective shall not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 47-432; Filed, Jan. 16, 1947;  
8:52 a. m.]

[File No. 70-1390]

FRONTIER POWER CO. AND J. G. WHITE CO.,  
INC.

#### ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of January A. D. 1947.

A joint application-declaration, and amendments thereto, having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7, 9 (a), 10, 12 (b) 12 (c) and 12 (f) thereof, by J. G. White & Company, Inc. ("White"), an exempt holding company<sup>1</sup> and its public utility subsidiary, Frontier Power Company ("Frontier"), regarding the following proposed transactions:

Frontier, a Colorado corporation, proposes to change its present authorized

<sup>1</sup>In connection with the acquisition of its interests in Frontier, White (which is primarily engaged in the investment banking business) was granted a temporary exemption from the act, pursuant to section 3 (a) (4), except that White and its subsidiaries as such were not exempt from the provisions of sections 6, 7, 9, 10, 12 (b), 12 (c) and 12 (f) of the act insofar as these sections concern Frontier. White, in addition to its interests in Frontier, has interests in certain foreign public utility companies in respect of which it has been granted exemption as a holding company pursuant to section 3 (a) (5) of the act. See Holding Company Act Release No. 6332.

[File No. 812-474]

## BANKERS SECURITIES CORP. ET AL.

## NOTICE OF APPLICATION, STATEMENT OF ISSUES, ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of January A. D. 1947.

In the matter of Bankers Securities Corporation, City Stores Company, and R. H. White Realty Company, File No. 812-474.

Notice is hereby given that Bankers Securities Corporation ("Bankers"), City Stores Company ("City") and R. H. White Realty Company ("Realty") have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed sale by Realty to City of 3,000 shares of the former's preferred stock at par or a total consideration of \$300,000.

Bankers is a closed-end, management, nondiversified investment company and is registered under the Investment Company Act of 1940.

Bankers owns 78.7% of the voting securities of City. City owns all of the issued and outstanding shares of R. H. White Corporation. R. H. White Corporation owns all of the issued and outstanding stock of Realty.

The sale of such shares by an affiliated person of a registered investment company (Realty) to a company controlled by such registered investment company (City) is prohibited by section 17 (a) of the act.

The applicants have therefore filed an application pursuant to section 17 (b) of the act for an order of the Commission exempting the proposed transaction from the provisions of section 17 (a) of the act, and they assert that the proposed transaction meets the standards and requirements of section 17 (b).

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transaction and the matters of fact and law asserted.

The Corporation Finance Division of the Commission has advised the Commission that upon a preliminary examination of the application, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination:

- (1) Whether the proposed transaction is fair and reasonable;
- (2) Whether the proposed transaction involves overreaching on the part of any person concerned;
- (3) Whether the proposed transaction is consistent with the policy of Bankers Securities Corporation as recited in its registration statement and reports filed under the act;
- (4) Whether the proposed transaction is consistent with the general purposes of the act.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

*It is ordered*, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid application be held on January 27, 1947, at 10 a. m., Eastern Standard Time, Room 318 in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

*It is further ordered*, That Richard Townsend, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to hearing officers under the Commission's rules of practice.

Notice of such hearing is hereby given to the above-mentioned Bankers Securities Corporation, City Stores Company and R. H. White Realty Company, and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise desiring to participate in said proceedings should file with the Secretary of the Commission, on or before January 24, 1947, his application therefor as provided by Rule XVII of the rules of practice of the Commission, setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 47-434; Filed, Jan. 16, 1947;  
8:52 a. m.]

## SYLVAN PERRY CO.

## ORDER PERMITTING WITHDRAWAL OF REGISTRATION AND DISCONTINUING PROCEEDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of January A. D. 1947.

In the matter of Sylvan Perry Spies, doing business as Sylvan Perry Co., 32 Broadway, New York, New York.

The Commission having instituted proceedings under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Sylvan Perry Spies, doing business as Sylvan Perry Co., as a broker and dealer should be revoked;

A hearing having been held after due notice, and said respondent having requested permission to withdraw his registration;

The Commission having been duly advised and having this day issued its findings and opinion;

*It is ordered*, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that withdrawal of said registration be and it hereby is permitted to become effective forthwith, and that the

capital stock, consisting of 20,000 shares of common stock of the par value of \$100 per share, all of which is issued and outstanding, to 140,000 shares of common stock of the par value of \$5 per share, and to issue such new stock to its present common stockholders, on a pro rata basis, in exchange for the 20,000 shares of \$100 par value common stock presently outstanding. White, as the owner of 13,333 shares of Frontier's common stock, \$100 par value per share, will receive 93,331 shares of Frontier's new common stock. The difference between the aggregate par amount of the present common stock of Frontier (\$2,000,000) and the proposed aggregate par amount of the new common stock (\$700,000), amounting to \$1,300,000, will be credited to capital surplus. Frontier also proposes to issue to White its note in the amount of \$207,000, to be dated September 30, 1946 and bearing interest at the rate of 2½% per annum, in exchange for its presently outstanding note of like amount held by White which matured on September 30, 1946. The new note is to be payable at the rate of \$20,000 per annum with a final installment of \$127,000 due at the end of five years from the date thereof. The New Mexico Public Service Commission, the only State commission represented to have jurisdiction in respect of the proposed transactions, has authorized the issuance of such new common stock and note.

Said application-declaration having been filed on November 13, 1946 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective; and

Applicants-declarants having requested that the Commission's order in respect of this matter become effective immediately upon issuance thereof and the Commission deeming it appropriate to grant such request:

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 47-433; Filed, Jan. 16, 1947;  
8:52 a. m.]

## NOTICES

proceeding under section 15 (b) of the act be and it hereby is discontinued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-435; Filed, Jan. 16, 1947;  
8:53 a. m.]

hereby is, revoked, effective January 20th, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-436; Filed, Jan. 16, 1947;  
8:53 a. m.]

# CHARLES F. BAXTER AND ASSOCIATES

## ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of January A. D. 1947.

In the matter of Charles Fletcher Baxter, doing business as Charles F. Baxter & Associates, 30 North LaSalle Street, Chicago, Illinois.

The Commission having instituted proceedings under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Charles Fletcher Baxter, doing business as Charles F. Baxter & Associates, as a broker and dealer should be revoked; a hearing having been held after appropriate notice, a trial examiner's report filed, and the Commission having this day issued its findings and opinion;

It is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of the said Charles Fletcher Baxter as an over-the-counter broker-dealer be, and the same

## DEPARTMENT OF JUSTICE

### Office of Alien Property

[Vesting Order CE 342]

#### COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 10, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

#### EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Mykolas Galdys.....	Lithuania.....	Item 1 Estate of Edward Galdys, deceased, Surrogate's Court, Kings County, N. Y., Index No. 5359/1943.	\$21
Vladas Galdys.....	do.....	Item 2 Same.....	8
Stasys Galdys.....	do.....	Item 3 Same.....	8
Paulina Galdys.....	do.....	Item 4 Same.....	8
Bella Baumwald.....	Poland.....	Item 5 Estate of Abraham Baumwald, deceased, Surrogate's Court, Kings County, N. Y., Index No. 6354/1944.	20
Rebecca Greenberg.....	do.....	Item 6 Same.....	20
Scheindel Buckhaus.....	do.....	Item 7 Same.....	20
Moses Fink.....	do.....	Item 8 Estate of Max Horowitz, deceased, Surrogate's Court, New York County, N. Y., Index No. P-2043-1942.	23
Frimet Ebert.....	do.....	Item 9 Same.....	15
Marjorie L. Rupplinger.....	France.....	Item 10 Estate of John F. Lane, deceased, Surrogate's Court, Queens County, N. Y., File No. 1390/1943.	69
Heirs, names unknown of Angelo Castellano, deceased, in Italy.	Italy.....	Item 11 Estate of Angelo Castellano, also known as Angelo M. Castellano, also known as Angelo Maria Castellano, deceased, Surrogate's Court, New York County, N. Y., Docket No. 14459.	33
Anna Marcelano.....	do.....	Item 12 Estate of Annunziata Mustaccioli, deceased, Surrogate's Court, Kings County, N. Y., Docket No. 7697/1944.	27
Giovanno Pinto.....	do.....	Item 13 Same.....	27
Maria Ferrigno.....	do.....	Item 14 Same.....	27

[F. R. Doc. 47-475; Filed, Jan. 16, 1947; 8:50 a. m.]

[Vesting Order 7959]

FLORA AND OLGA GLASER

In re: Bank accounts owned by Flora Glaser and Olga Glaser. F-28-25643-C-1, F-28-25643-E-1, F-28-25651-C-1, F-28-25651-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Flora Glaser and Olga Glaser, whose last known address is 53 Schueterstrasse, Charlottenberg, Germany, are residents of Germany, and nationals of a designated enemy country (Germany)

2. That the property described as follows:

That certain debt or other obligation of Mechanics Savings Bank, 80 Pearl Street, Hartford, Connecticut, arising out of a savings account, Account Number 143325, entitled Phoenix State Bank & Trust Company, Attorney for Flora Glaser, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Flora Glaser, a national of a designated enemy country (Germany)

3. That the property described as follows:

That certain debt or other obligation of Mechanics Savings Bank, 80 Pearl Street, Hartford, Connecticut, arising out of a savings account, Account Number 143326, entitled Phoenix State Bank & Trust Company, Attorney for Olga Glaser, maintained at the aforesaid bank, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Olga Glaser, a national of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 11981)

9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-467; Filed, Jan. 16, 1947; 8:49 a. m.]

[Vesting Order 7938]

CENTRAL AMERICAN PLANTATIONS CORP.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation:

1. It having been found and determined by Vesting Order 104, dated August 17, 1942, that Central American Plantations Corporation, a Delaware corporation, is a business enterprise within the United States and is a national of a designated enemy country (Germany)

2. It is hereby found:

That of the issued and outstanding capital stock of Central American Plantations Corporation, consisting of 29,027 shares \$100 par value common stock, 20 shares are registered in the name of and are owned by W. Schillmann and are evidence of an interest in Central American Plantations Corporation;

3. It is hereby found:

That W. Schillmann, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that W. Schillmann is not within a designated enemy country, the national interest of the United States requires that he be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the 20 shares of \$100 par value common stock of Central American Plantations Corporation, more fully described in subparagraph 2 hereof, together with all declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 3, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-465; Filed, Jan. 16, 1947; 8:48 a. m.]

[Vesting Order 7933]

CARLOS GIESELER

In re: Bank account owned by Carlos Gieseler, F-28-27934-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carlos Gieseler, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

That certain debt or other obligation owing to Carlos Gieseler by Grace National Bank of New York, 7 Hanover Square, New York 5, New York, arising out of a checking account, entitled Carlos Gieseler, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-466; Filed, Jan. 16, 1947; 8:49 a. m.]



[Vesting Order CE 341]

**COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MONTANA, ARIZONA, COLORADO AND WYOMING COURTS**

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 10, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Olaf Hellesen.....	Norway.....	<i>Item 1</i> Estate of Gustava Cockell, deceased, District Court of the First Judicial District of the State of Montana, in and for the County of Lewis and Clark; No. 5113.	\$33.60
Mary Hellesen.....	do.....	<i>Item 2</i> Same.....	35.00
Anna Olson.....	do.....	<i>Item 3</i> Same.....	10.00
Helga Olson.....	do.....	<i>Item 4</i> Same.....	10.00
Laura Olson.....	do.....	<i>Item 5</i> Same.....	10.00
Olaf Olson.....	do.....	<i>Item 6</i> Same.....	10.00
Ole Bertness.....	do.....	<i>Item 7</i> Same.....	23.00
Carl Bertness.....	do.....	<i>Item 8</i> Same.....	23.00
Oskar Bertness.....	do.....	<i>Item 9</i> Same.....	23.00
Gust G. Lambro and Fallo C. Lambro or Mrs. Maria Geo. Karlis, Mrs. Katherine A. Vellissarakou, Sophia S. Tsaroumi, Fallo J. Karatjas, Evangelina J. Karatjas and Angelo J. Karatjas.	Greece.....	<i>Item 10</i> Estate of George G. Lambro, deceased, in the Superior Court of the State of Arizona, in and for the County of Mohave; Probate Cause No. 647.	40.00
Costes Katsargeres.....	do.....	<i>Item 11</i> Estate of Christos Katsargeres, also known as Christ Koukas, deceased, County Court of Chaffee County, State of Colorado; Probate No. 1489.	9.00
Michael Katsargeres.....	do.....	<i>Item 12</i> Same.....	9.00
Stratis Katsargeres.....	do.....	<i>Item 13</i> Same.....	9.00
Marego Katsargeres.....	do.....	<i>Item 14</i> Same.....	9.00
Maria Madison Artel.....	Estonia.....	<i>Item 15</i> Estate of John Madison, also known as John Martinson, deceased, District Court of Wyoming, in and for the County of Lincoln.	6.00
Lilja Madison.....	do.....	<i>Item 16</i> Same.....	6.00
Alide Madison Thompson.....	do.....	<i>Item 17</i> Same.....	50.00
Anna Zagar.....	Jugoslavia.....	<i>Item 18</i> Estate of Phillip Zagar, deceased, Second Judicial District Court, within and for Sweet Water County, State of Wyoming; No. 3165.	10.00
Mary Iskra.....	do.....	<i>Item 19</i> Same.....	6.00
Josipa Crnic.....	do.....	<i>Item 20</i> Same.....	6.00
Julia Svetlo.....	do.....	<i>Item 21</i> Same.....	6.00

[Vesting Order 7960]

MARIA GUERTLER

In re: Stock owned by Maria Guertler, F-28-8143-D-1, F-28-8143-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Guertler, whose last known address is Berlin-Dahlem, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Thirty-eight (38) shares of \$100 par value, common Capital stock of Minot Trust, evidenced by a certificate numbered 127, registered in the name of Maria Guertler, presently in the custody of Edwin D. Brooks, acting as Trustee of the said Minot Trust, 50 Federal Street, Boston, Massachusetts, together with all declared and unpaid dividends thereon,

b. That certain debt or other obligation owing to Maria Guertler by Edwin D. Brooks, 50 Federal Street, Boston, Massachusetts, as Trustee of Minot Trust, arising out of dividends declared on the stock described in subparagraph 2-a above, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to Maria Guertler by Edwin D. Brooks, 50 Federal Street, Boston, Massachusetts, as Trustee of Minot Trust, arising out of liquidating dividends declared on the stock described in subparagraph 2-a above, together with any and all accruals thereto, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

No. 12—4

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-468; Filed, Jan. 16, 1947; 8:49 a. m.]

[Vesting Order 7963]

HANNA BRAMS

In re: Bank account owned by Hanna Brams, F-28-25093-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hanna Brams, whose last known address is Wellingdorf, Keel, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

That certain debt or other obligation owing to Hanna Brams by Citizens National Trust and Savings Bank of Los Angeles, 457 South Spring Street, Los Angeles, California, arising out of a savings account, Account Number 30282, entitled Hanna Brams, maintained at Branch Office 2, of the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616;

E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-463; Filed, Jan. 16, 1947; 8:49 a. m.]

[Vesting Order CE 345]

#### COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 10, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

## NOTICES

## EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Retto Thums.....	Czechoslovakia.....	<i>Item 1</i> Estate of Peter Wurdack, deceased, Superior Court, State of California, in and for the County of Alameda; No. 71255.	\$12.00
Andrew Wurdack.....	do.....	<i>Item 2</i> Same.....	12.00
Marie Maler.....	do.....	<i>Item 3</i> Same.....	12.00
Chana Bulmach.....	Poland.....	<i>Item 4</i> Estate of Edel Eisen, deceased, Superior Court, State of California, in and for the County of Los Angeles; No. 239216.	12.00
Chaude Eisen.....	do.....	<i>Item 5</i> Same.....	12.00
Motel Eisen.....	do.....	<i>Item 6</i> Same.....	12.00
Juozas Taucius.....	Lithuania.....	<i>Item 7</i> Estate of Benjamin Taucius, deceased, Superior Court, State of California, in and for the City and County of San Francisco; No. 61662.	0.00
Pilibertas Taucius.....	do.....	<i>Item 8</i> Same.....	0.00
Eugenia Steponavicius.....	do.....	<i>Item 9</i> Same.....	0.00
Vladas Kleinauskas.....	do.....	<i>Item 10</i> Same.....	0.00
Tadas Petrutis.....	do.....	<i>Item 11</i> Same.....	5.00
Kazys Petrutis.....	do.....	<i>Item 12</i> Same.....	5.00
Stanislava Pragulbrickiene-Prage.....	do.....	<i>Item 13</i> Estate of Stanislava Pragulbrickiene-Prage, an incompetent person, Superior Court, State of California, in and for the County of Los Angeles; No. 117-099.	32.00
Steve Rajkovich.....	Yugoslavia.....	<i>Item 14</i> Estate of George Krznarich, deceased, Superior Court, State of California, in and for the County of Sacramento; No. 21536.	40.00
Klara Dellja.....	do.....	<i>Item 15</i> Estate of Andrew Jurian, deceased, Superior Court, State of California, in and for the County of Santa Clara; No. 26722.	51.00
Borbala (Barbara) Grosz.....	Hungary.....	<i>Item 16</i> Estate of Edward A. Gross, deceased, Superior Court, State of California, in and for the County of Santa Barbara, No. 36436.	29.00
Kato (Kate) Grosz.....	do.....	<i>Item 17</i> Same.....	29.00

[F. R. Doc. 47-478; Filed, Jan. 16, 1947; 8:51 a.m.]

[Vesting Order 7964]

MARGARET BUBA

In re: Bank account owned by Margaret Buba, F-28-25079-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margaret Buba, whose last known address is Besterhagen 10, Post Schotmar in Lippe, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Margaret Buba by National Bank of Detroit, 660 Woodward Avenue, Detroit 32, Michigan, arising out of a savings account, Account Number 1424, entitled Margaret Buba, maintained at the branch office of the aforesaid bank,

located at 9300 Kercheval Avenue, Detroit, Michigan, and any and all rights to demand, enforce, and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917, E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 8, 1947:

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director

[F. R. Doc. 47-470; Filed, Jan. 10, 1947; 8:49 a.m.]

[Vesting Order 7967]

EMIL KUMMICH AND ALBERT KIMMICH

In re: Bank accounts owned by Emil Kummich and Albert Kimmich, F-28-23205-E-1, F-28-23106-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emil Kummich and Albert Kimmich, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Ridgewood Savings Bank, Myrtle & Forest Avenues, Ridgewood, New York, arising out of a savings account, Account Number 103,000, entitled Emil Kummich by Erich Wilkens, Attorney-in-fact, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Emil Kummich; a national of a designated enemy country (Germany)

3. That the property described as follows: That certain debt or other obligation of Ridgewood Savings Bank, Myrtle & Forest Avenues, Ridgewood, New York, arising out of a savings account, Account Number 102,998, entitled Albert Kimmich by Erich Wilkens, Attorney-in-fact, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Albert Kimmich, a national of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R.

6917; E. O. 9783, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-473; Filed, Jan. 16, 1947; 8:50 a. m.]

[Vesting Order 7963]

JULIUS HANSCHILD

In re: Bank account owned by Julius Hanschild, F-28-23011-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Julius Hanschild, whose last known address is Welmar, Silberblick 21, Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That the property described as follows:

That certain debt or other obligation owing to Julius Hanschild by Mellon National Bank, Smithfield Street, Fifth and Oliver Avenues, Pittsburgh 30, Pennsylvania, arising out of a savings account, Account Number 1-533, maintained at the aforesaid bank, entitled Julius Hanschild, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-471; Filed, Jan. 16, 1947; 8:49 a. m.]

[Vesting Order 7966]

T. KAWATA

In re: Bank account owned by T. Kawata, F-39-2203-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That T. Kawata, whose last known address is P. O. Box No. 5, Kanda, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to T. Kawata by the Wells Fargo Bank & Union Trust Company, 4 Montgomery Street, San Francisco, arising out of a checking account, entitled T. Kawata, maintained at the aforesaid bank and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable, or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 8, 1947:

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-472; Filed, Jan. 16, 1947; 8:49 a. m.]

## NOTICES

[Vesting Order CE 344]

COSTS AND EXPENSES INCURRED IN CERTAIN  
ACTIONS OR PROCEEDINGS IN CERTAIN  
NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such

person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons de-

scribed in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 10, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director

## EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
Arcangela Andrisani.....	Italy.....	<i>Item 1</i> Estate of Francesco Andrisani, deceased, Surrogate's Court, Bronx County, N. Y., Docket No. 17-22-A-1944.	\$1,279.68	James W. Brown, Public Administrator, Bronx County, 851 Grand Concourse, Bronx, N. Y., Administrator.	\$19.67
Marietta Andrisani Venezia.....	do.....	<i>Item 2</i> Same.....	1,279.67	do.....	19.67
Nunzio Andrisani.....	do.....	<i>Item 3</i> Same.....	255.94	do.....	3.91
Luigi Andrisani.....	do.....	<i>Item 4</i> Same.....	255.93	do.....	3.93
Mario Andrisani.....	do.....	<i>Item 5</i> Same.....	255.93	do.....	3.93
Anna Andrisani.....	do.....	<i>Item 6</i> Same.....	255.93	do.....	3.93
Giovanni Andrisani.....	do.....	<i>Item 7</i> Same.....	255.93	do.....	3.93
Agnes F. Boldt Celli.....	do.....	<i>Item 8</i> Estate of Hermann J. Boldt, deceased, Surrogate's Court, Westchester County, N. Y., File No. 213/1943.	17,211.17	Central Hanover Bank & Trust Co., Fifth Ave. at 60th St., New York, N. Y., and Harry T. McMahon, 181 Grand St., White Plains, N. Y., Trustees.	441.00
Jayta Humphreys Schlemmer.....	do.....	<i>Item 9</i> In the matter of the Judicial Settlement of the Account of Proceedings of Central Hanover Bank & Trust Co., as Trustee under Indenture of Trust, dated June 26, 1912, made by Jayta Humphreys von Wolf (now Jayta Humphreys Schlemmer) and Fannie Humphreys Gaffney, Supreme Court, New York, in and for New York County; Index No. 9691-1946.	16,325.27	Central Hanover Bank & Trust Co., Trustee, 70 Broadway, New York, N. Y.	103.00
Victoria Paganas.....	Greece.....	<i>Item 10</i> Estate of Harry Payones, also known as Harry Paganas, also known as Aristotaluis Paganas, deceased, Surrogate's Court, Westchester County, N. Y.	362.46	Commissioner of Finance, Westchester County, White Plains, N. Y., as Depository.	23.00
Marigo Paganas.....	do.....	<i>Item 11</i> Same.....	362.46	do.....	23.00
Michael Paganas.....	do.....	<i>Item 12</i> Same.....	362.46	do.....	23.00

[F. R. Doc. 47-477; Filed, Jan. 16, 1947; 8:50 a. m.]